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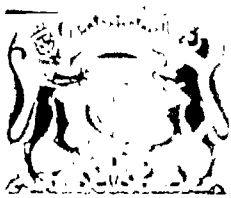

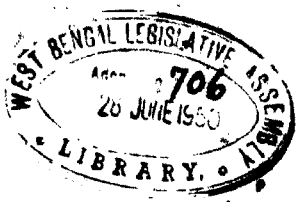

Council Proceedings

Official Report

Bengal Legislative Council

Forty-first Session, 1933

13th to 18th, 20th to 23rd, 25th and 27th to
29th March, 1933

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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency Colonel the Right Hon'ble Sir JOHN ANDERSON, P.C., G.C.B., G.C.I.E.

MEMBERS OF THE EXECUTIVE COUNCIL.

The Hon'ble Sir PROVASH CHUNDER MITTER, KT., C.I.E., in charge of the following portfolios:—

1. Land Revenue.
2. Land Acquisition.
3. Excluded Areas.
4. Jails.
5. Legislative.

The Hon'ble Alhadj Sir ABDULKERIM GHUZNAVI, KT., in charge of the following portfolios:—

1. Emigration.
2. Immigration.
3. Jurisdiction.
4. Haj Pilgrimage.
5. Forests
6. Irrigation.

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1. Finance.
2. Separate Revenue.
3. Commerce and Industrial subjects.
4. Marine.
5. European Education.

The Hon'ble Mr. W. D. R. PRENTICE, C.S.I., C.I.E., I.C.S., in charge of the following portfolios:—

1. Appointment.
2. Political, excluding Haj Pilgrimage.
3. Police.
4. Ecclesiastical.
5. Regulation of medical and other professional qualifications and standards, subject to legislation by the Indian Legislature.
6. Judicial.
7. Hazaribagh Reformatory School.

MINISTERS.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur, in charge of the following portfolios:—

1. Agriculture and Industries (excluding Excise).
2. Public Works.

The Hon'ble Mr. KHWAJA NAZIMUDDIN, C.I.E., in charge of the following portfolios:—

1. Education.
2. Registration.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY, in charge of the following portfolios:—

1. Local Self-Government.
2. Excise.

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE COUNCIL.

PRESIDENT.

The Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh.

DEPUTY PRESIDENT.

MR. RAZAUR RAHMAN KHAN, B.L.

Panel of Chairmen for the Forty-first Session.

1. MR. W. H. THOMPSON.
2. MR. SYAMAPROSAD MOOKERJEE, Bar.-at-Law.
3. Khan Bahadur MUHAMMAD ABDUL MOMIN.
4. Maharaja SRIS CHANDRA NANDY, of Kasimbazar.

Secretary to the Council—J. W. McKAY, I.S.O.

Assistant Secretary to the Council—Vacant.

BENGAL LEGISLATIVE COUNCIL

ALPHABETICAL LIST OF MEMBERS.

A

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur. [Dacca City (Muhammadan).]
Ali, Maulvi Hassan. [Dinajpur (Muhammadan).]
Ali, Maulvi Syed Nausher. [Jessore South (Muhammadan).]
Ali, Mr. Altaf. [Bogra (Muhammadan).]
Armstrong, Mr. W. L. [Presidency and Burdwan (European).]
Austin, Mr. J. M. (Bengal Chamber of Commerce.)

B

Baksh, Maulvi Shaikh Rahim. [Hooghly *cum* Howrah Municipal (Muhammadan).]
Baksh, Maulvi Syed Majid. [Jessore North (Muhammadan).]
Bal, Babu Lalit Kumar. [Bakarganj South (Non-Muhammadan).]
Bal, Rai Sahib Sarat Chandra. [Faridpur South (Non-Muhammadan).]
Ballabh, Rai Bahadur Debendra Nath. [24-Parganas Rural North (Non-Muhammadan).]
Banerji, Mr. P. [24-Parganas Rural South (Non-Muhammadan).]
Banerji, Rai Bahadur Keshab Chandra. [Dacca Rural (Non-Muhammadan).]
Bannerjee, Babu Jitendralal. [Birbhum (Non-Muhammadan).]
Barma, Rai Sahib Panchanan, M.B.E. [Rangpur West (Non-Muhammadan).]
Basir Uddin, Khan Sahib Maulvi Mohammed. [Rajshahi North (Muhammadan).]
Basu, Babu Jatindra Nath. [Calcutta North (Non-Muhammadan).]
Basu, Mr. Narendra Kumar. [Nadia (Non-Muhammadan).]
Blandy, Mr. E. N. (Nominated Official.)
Bose, Mr. S. M., Bar.-at-Law. [Calcutta East (Non-Muhammadan).]
Bural, Babu Gokul Chand. [Calcutta South Central (Non-Muhammadan).]
Burn, Mr. H. H. (Bengal Chamber of Commerce.)

C

Chatterjee, Mr. B. C., Bar.-at-Law. [Bakarganj North (Non-Muhammadan).]
Chaudhuri, Babu Kishori Mohan. [Rajshahi (Non-Muhammadan).]
Chaudhuri, Babu Siddheswar. (Expert, Nominated.)

Chaudhuri, Dr. Jogendra Chandra. [Bogra *cum* Pabna (Non-muhammadan).]

Chaudhuri, Khan Bahadur Maulvi Alimuzzaman. [Faridpur North (Muhammadan).]

Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman. (Nominated Non-official.)

Chaudhuri, Maulvi Syed Osman Haider. [Tippera North (Muhammadan).]

Choudhury, Maulvi Nural Absar. [Chittagong North (Muhammadan).]

Chowdhury, Haji Badi Ahmed. [Chittagong South (Muhammadan).]

Chowdhury, Maulvi Abdul Ghani, B.L. [Dacca West Rural (Muhammadan).]

Cohen, Mr. D. J. (Nominated Non-official.)

Cooper, Mr. C. G. (Indian Jute Mills Association.)

D

Dain, Mr. G. R., C.I.E. (Bengal Chamber of Commerce.)

Das, Rai Bahadur Kamini Kumar, M.B.E. [Chittagong (Non-Muhammadan).]

Das, Rai Bahadur Satyendra Kumar. [Dacca City (Non-Muhammadan).]

Dutt, Rai Bahadur Dr. Haridhan. [Calcutta Central (Non-Muhammadan).]

E

Eusufji, Maulvi Nur Rahman Khan. [Mymensingh South-West (Muhammadan).]

F

Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur. [Minister.] [Tippera South (Muhammadan).]

Fawcus, Mr. L. R. (Nominated Official.)

Fazlullah, Maulvi Muhammad. [Noakhali West (Muhammadan).]

Forrester, Mr. J. Campbell. [Presidency and Burdwan (European).]

G

Gangali, Rai Bahadur Susil Kumar. (Nominated Official.)

Ghose, Dr. Amulya Ratan. [Howrah Municipal (Non-Muhammadan).]

Ghose, Rai Bahadur Sasonka Comar, C.I.E. (Dacca University.)

Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim, KT. (Member, Executive Council.)

Gilchrist, Mr. R. N. (Nominated Official.)
Goenka, Rai Bahadur Badridas, C.I.E. (Bengal Marwari Association.)
Guha, Babu Profulla Kumar. [24-Parganas Municipal North (Non-Muhammadan).]
Guha, Mr. P. N. (Nominated Non-official.)
Gupta, Mr. J. N., C.I.E., M.B.E. [Bankura West (Non-Muhammadan).]

H

Hakim, Maulvi Abdul. [Mymensingh Central (Muhammadan).]
Haque, Khan Bahadur Maulvi Azizul. [Nadia (Muhammadan).]
Henderson, Mr. A. G. R. (Nominated Official.)
Hogg, Mr. G. P. (Nominated Official.)
Hooper, Mr. G. G. (Nominated Official.)
Hoque, Kazi Emdadul. [Rangpur East (Muhammadan).]
Hosain, Nawab Musharruf, Khan Bahadur. [Malda *cum* Jalpaiguri (Muhammadan).]
Hossain, Maulvi Muhammad. [Bakarganj North (Muhammadan).]
Huq, Mr. A. K. Fazl-ul. [Bakarganj West (Muhammadan).]
Hussain, Maulvi Latafat. (Nominated Non-official.)

K

Karim, Maulvi Abdul. [Burdwan Division South (Muhammadan).]
Kasem, Maulvi Abul. [Burdwan Division North (Muhammadan).]
Khan, Khan Bahadur Maulvi Muazzam Ali. [Pabna (Muhammadan).]
Khan, Maulvi Tamizuddin. [Faridpur South (Muhammadan).]
*Khan, Mr. Razaur Rahman, B.L. [Dacca East Rural (Muhammadan).]

L

Lal Muhammed Haji. [Rajshahi South (Muhammadan).]
Law, Mr. Surendra Nath. (Bengal National Chamber of Commerce.)
Lockhart, Mr. A. R. E. [Presidency and Burdwan (European).]

M

Maguire, Mr. L. T. (Anglo-Indian.)
Maiti, Mr. R. [Midnapore South (Non-Muhammadan).]
Mason, Mr. G. A. (Indian Jute Mills Association.)
McCluskie, Mr. E. T. (Anglo-Indian.)

* Deputy President, Bengal Legislative Council.

Mitter, the Hon'ble Sir Provash Chunder, K.C.S.I., C.I.E. (Member, Executive Council.)

Mittra, Babu Sarat Chandra. [24-Parganas Rural Central (Non-Muhammadan).]

Momin, Khan Bahadur Muhammad Abdul. [Noakhali East (Muhammadan).]

Mookerjee, Mr. Syamaprosad, Bar.-at-Law. (Calcutta University.)

Mortimer, Mr. H. R. [Rajshahi (European).]

Mukherji, Rai Bahadur Satish Chandra. [Hooghly Rural (Non-Muhammadan).]

Mukhopadhaya, Rai Sahib Sarat Chandra. [Midnapore South-East (Non-Muhammadan).]

Mullick, Mr. Mukunda Behary. (Nominated Non-official.)

N

Nag, Babu Suk Lal. [Khulna (Non-Muhammadan).]

Nag, Reverend B. A. (Nominated Non-official.)

Nandy, Maharaja Sris Chandra, of Kasimbazar. (Bengal National Chamber of Commerce.)

Nazimuddin, the Hon'ble Mr. Khwaja, C.I.E. [Minister.] [Bakarganj South (Muhammadan).]

Norton, Mr. H. R. (Calcutta Trades Association.)

P

Petre, Mr. B. F. (Indian Mining Association.)

Philpot, Mr. H. C. V. (Nominated Official.)

Poddar, Mr. Ananda Mohan. (Bengal Mahajan Sabha.)

Poddar, Seth Hunuman Prosad. [Calcutta West (Non-Muhammadan).]

Prentice, the Hon'ble Mr. W. D. R., C.S.I., C.I.E. (Member, Executive Council.)

Proctor, Lt.-Col. A. H., D.S.O., M.D., F.R.C.S.E., I.M.S. (Nominated Official.)

Q.

Quasem, Maulvi Abul. [Khulna (Muhammadan).]

R

Raheem, Mr. A., C.I.E. [Calcutta North (Muhammadan).]

Rahman, Maulvi Azizur. [Mymensingh North-West (Muhammadan).]

Rahman, Mr. A. F. [Rangpur West (Muhammadan).]

Rahman, Mr. A. F. M. Abdur. [24-Parganas Rural (Muhammadan).]
Raikat, Mr. Prosanna Deb. [Jalpaiguri (Non-Muhammadan).]
Rai Mahasai, Munindra Deb. [Hooghly Municipal (Non-Muhammadan).]
Ray, Babu Amulyadhan. [Jessore South (Non-Muhammadan).]
Ray, Babu Khetter Mohan. [Tippera (Non-Muhammadan).]
Ray, Babu Nagendra Narayan, B.L. [Rangpur East (Non-Muhammadan).]
Ray, Kumar Shib Shekhareswar. (Rajshahi Landholders.)
Ray, Maharaja Jagadish Nath, of Dinajpur. [Dinajpur (Non-Muhammadan).]
Ray, Mr. Shanti Shekhareswar, M.A. [Malda (Non-Muhammadan).]
*Ray Chaudhuri, the Hon'ble Raja Sir Manmatha Nath, KT., of Santosh. (Dacca Landholders.)
Ray Chowdhury, Babu Satish Chandra. [Mymensingh East (Non-Muhammadan).]
Ray Chowdhury, Mr. K. C. (Nominated Non-official.)
Reid, Mr. R. N., C.I.E. (Nominated Official.)
Ross, Mr. J. (Indian Tea Association.)
Rout, Babu Hoseni. [Midnapore North (Non-Muhammadan).]
Roy, Babu Haribansa. [Howrah Rural (Non-Muhammadan).]
Roy, Babu Jitendra Nath. [Jessore North (Non-Muhammadan).]
Roy, Mr. Saileswar Singh. [Burdwan North (Non-Muhammadan).]
Roy, Mr. Sarat Kumar. (Presidency Landholders.)
Roy, the Hon'ble Mr. Bijoy Prasad Singh. [Minister.] [Burdwan South (Non-Muhammadan).]
Roy Choudhuri, Babu Hem Chandra. [Noakhali (Non-Muhammadan).]

S

Saadatullah, Maulvi Muhammad. [24-Parganas Municipal (Muhammadan).]
Sahana, Babu Satya Kinkar. [Bankura East (Non-Muhammadan).]
Samad, Maulvi Abdus. [Murshidabad (Muhammadan).]
Sarker, Rai Sahib Rebati Mohan. (Nominated Non-official.)
Sen, Mr. B. R. (Nominated Official.)
Sen, Rai Bahadur Jogesh Chandra. [24-Parganas Municipal South Non-Muhammadan).]
Sen, Rai Sahib Akshoy Kumar. [Faridpur North (Non-Muhammadan).]
Sen Gupta, Dr. Naresh Chandra. [Mymensingh West (Non-Muhammadan).]
Shah, Maulvi Abdul Hamid. [Mymensingh East (Muhammadan).]
Singha, Mr. Arun Chandra. (Chittagong Landholders.)

* President of the Bengal Legislative Council.

Singh, Srijut Taj Bahadur. [Murshidabad (Non-Muhammadan).]
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur. (Burdwan Landholders.)
Sircar, Dr. Sir Nilratan, KT., M.D. [Calcutta South (Non-Muhammadan).]
Solaiman, Maulvi Muhammad. [Barrackpore Municipal (Muhammadan).]
Stapleton, Mr. H. E. (Nominated Official.)
Steven, Mr. J. W. R. [Dacca and Chittagong (European).]
Suhrawardy, Mr. H. S. [Calcutta South (Muhammadan).]
Sumner, Mr. C. R. (Bengal Chamber of Commerce.)

T

Thompson, Mr. W. H. (Bengal Chamber of Commerce.)
Townend, Mr. H. P. V. (Nominated Official.)

W

Wilkinson, Mr. H. R., C.I.E. (Nominated Official.)
Woodhead, the Hon'ble Mr. J. A., C.I.E. (Member, Executive Council.)
Wordsworth, Mr. W. C. (Bengal Chamber of Commerce.)

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS

(Official Report of the Forty-first Session.)

Volume XLI—No. 2.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Monday, the 13th March, 1933, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 107 nominated and elected members.

Oath or Affirmation.

The following member made an oath or affirmation of his allegiance to the Crown:—

Rai Bahadur Susil Kumar Gangali.

STARRED QUESTIONS

(to which oral answers were given)

Attachment of the properties of Miss Kalpana Dutt's father.

*27. **Dr. AMULYA RATAN GHOSE:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that the movable properties of the father and other relatives of Miss Kalpana Dutt have been attached?

(*b*) In what circumstances is she absconding and who is responsible?

(*c*) What are the reasons for the great delay in re-arresting her?

(*d*) Have the Government taken any action against the I. B. staff for their failure so far to find the whereabouts of Miss Dutt?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) The movable properties of Miss Kalpana Dutt's father and uncle have been attached, on account of a forfeited bail bond executed by them.

(*b*) She absconded from bail while proceedings under section 109, Criminal Procedure Code, were pending against her. Her sureties were responsible for her appearance in court.

(*c*) Her sureties have failed to produce her and she has been successful in concealing her whereabouts.

(*d*) No.

Maulvi SYED MAJID BAKSH: With reference to answer (*d*), will the Hon'ble Member be pleased to state what special measures have the Government taken for the arrest of the absconder?

The Hon'ble Mr. W. D. R. PRENTICE: All the measures that are in their power.

Malaria in Janai in the Hooghly district.

*28. **MUNINDRA DEB RAI MAHASAI:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether it is a fact that in the year 1931-32, 196 deaths occurred due to malaria in Janai and its neighbouring villages within the subdivision of Serampore in the district of Hooghly?

(*b*) Is it a fact that 213 persons suffered from malaria fever in the abovementioned villages and it caused a panic in the locality?

(*c*) Is it a fact that at the request of Babu Gopinath Mukherjee, the Subdivisional Officer of Serampore paid a visit to the affected areas of the above villages to ascertain the root cause of the heavy mortality from the violent outbreak of malaria?

(*d*) Will the Hon'ble Minister be pleased to state what action has been taken to improve the sanitary condition of the above villages?

(*e*) If no action has been taken yet, are the Government considering the desirability of taking any action now or in the near future?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) and (*b*) Separate figures are not available for these villages. Figures for Chanditala thana are given in the statement which is laid on the table. No panic was reported.

(c) and (d) He paid several visits, one of which was at the request of Babu Gopinath Mukherjee and requested the union board to clear jungle and to clear tanks and drains: these measures are reported to have led to a great improvement.

The Central Co-operative Anti-malaria Society organised work for the clearance of the Saraswati river through volunteers from the local societies.

(e) Does not arise.

Statement referred to in the reply to starred question No. 28 (a) and (b) showing the number of deaths from malaria and fevers in the Chanditala police-station during the years 1931 and 1932.

Deaths from malaria—	Deaths from fevers—
1931—369.	1931—942.
1932—617.	1932—1,326.

Ullapara railway station of the Eastern Bengal Railway.

*29. **Khan Bahadur Maulvi MUAZZAM ALI KHAN:** (a) Is the Hon'ble Member in charge of the Public Works (Railways) Department aware—

(i) that Ullapara is one of the important stations in the Sara-Sirajganj Branch of the Eastern Bengal Railway;

(ii) that there is no waiting room for the third and inter class passengers;

(iii) that the waiting room for the first and second class passengers is very small and badly furnished;

(iv) that there is no platform for getting into and getting down from the trains; and

(v) that the stoppage of all trains in that section is not more than two minutes only?

(b) Are the Government considering the desirability of taking steps at an early date to remove the said inconveniences?

MEMBER in charge of PUBLIC WORKS (RAILWAYS) DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (a) (i) Yes.

(ii) There is an inter and third class passengers' waiting hall and also an Indian ladies' waiting room provided at this station.

(*iii*) The first and second class waiting room measures 19′ × 7′ and is furnished with 15 articles of furniture. Considering the number of upper class passengers booked from and to Ullapara during the last 6 months which on the average was less than one per diem, the present accommodation appears adequate.

(*iv*) There is no raised platform at Ullapara but a rail level platform only as is usual on branch line.

(*v*) There are three up and three down trains at this station. Of these one stops for 12 minutes and the rest are allowed 2 minutes' stoppage. The volume of traffic at the station does not warrant a longer stop.

(*b*) In view of the facilities already provided it is not proposed to take any steps in the matter.

Maulvi SYED MAJID BAKSH: With reference to answer (*iv*), is the Hon'ble Member aware that the want of a raised platform causes inconvenience to passengers, male and female?

The Hon'ble Mr. J. A. WOODHEAD: I believe it does, Sir.

Establishment of the Council Department.

*30. **Mr. P. BANERJI:** (*a*) Will the Deputy President, Bengal Legislative Council, on behalf of the Hon'ble President be pleased to state—

(*i*) what is the present clerical strength of the newly-created Council Department;

(*ii*) what are the grades of salary of the clerical staff;

(*iii*) how many gazetted officers are there in the Council Department; and

(*iv*) what are their respective salaries?

(*b*) Will the Deputy President be pleased to state whether it is a fact that the present strength of the clerical as well as the gazetted staff of the Council Department is the minimum requirement for the present Council?

(*c*) If the answer to (*b*) is in the affirmative, will the Deputy President be pleased to state whether the consideration of the question of the increased staff for the proposed enlarged Council after the next reforms has been taken up?

(*d*) Will the Deputy President be pleased to state whether it is a fact that the gazetted staff of the Council Department is comparatively

insufficient in comparison with the gazetted staff of the Legislative Department?

(*e*) If the answer to (*d*) is in the negative, will the Deputy President be pleased to state what steps are being taken to remove this anomaly?

Mr. DEPUTY PRESIDENT (Mr. Razaur Rahman Khan): (*a*) A statement is laid on the table.

(*b*) Yes.

(*c*) No.

(*d*) The strength of the staff of the Council Department was not determined on a comparison with the strength of any other department.

(*e*) Does not arise.

Statement referred to in the reply to starred question No. 30 (a).

Present clerical strength of the Council Department—

1 Superintendent on Rs. 150—10—250.

1 Assistant on Rs. 175—25—200.

7 Assistants on Rs. 60—60—65—4—145—145—150.

3 Typists on Rs. 45—5/2—100.

In addition there are two reporters—

1 Senior Reporter on Rs. 250—10—350, *plus* special pay of Rs. 150.

1 Junior Reporter on Rs. 100—10—140—10—240, *plus* special pay of Rs. 75.

The gazetted staff of the Council Department is as follows:—

1 Secretary on Rs. 600—25—850—50—1,100.

1 Assistant Secretary on Rs. 300—20—400—25—500.

Mr. NARENDRA KUMAR BASU: Will the Deputy President be pleased to say with reference to answer (*d*) what determined the strength of the staff of the Council Department?

Mr. PRESIDENT: I do not understand the question.

Mr. NARENDRA KUMAR BASU: In the answer it is stated that the strength of the staff of the Council Department was not determined on a comparison with the strength of any other department. Now I want to know what was it that determined the strength of this department.

Mr. DEPUTY PRESIDENT: It was determined on the amount of work that is necessary for the department to do.

Mr. NARENDRA KUMAR BASU: Will the Deputy President be pleased to state why he has not got the Secretary to the Department behind him to prompt and to give him materials for the answer?

Mr. DEPUTY PRESIDENT: That is not for me to answer.

Mr. P. BANERJI: Will the Deputy President be pleased to state why there are only two gazetted officers in the Council Department and four in the Legislative Department?

Mr. DEPUTY PRESIDENT: It depends on the work of the two departments. They are not similar nor identical.

Mr. P. BANERJI: Will the Deputy President be pleased to state whether the work of the Legislative Department is much heavier——

Mr. PRESIDENT: I do not think that question arises out of the main question. Mr. Deputy President has already answered that the staff was not determined on any comparison between the two departments.

Mr. P. BANERJI: May I submit, Sir, that the Deputy President just pointed out that because the work of one section is heavier, four officers are necessary for that section?

Mr. DEPUTY PRESIDENT: I did not say the work was heavier. I said the work was different.

Mr. P. BANERJI: Apart from heavy work, may I ask whether the position of the Council Department has not been lowered by fixing the salary of the Secretary at Rs. 1,100, while the pay of the Assistant Secretary in the Legislative Department has been fixed at Rs. 1,500?

Mr. PRESIDENT: You are again trying to draw comparison. The Deputy President has already answered that the staff and the salary were not determined on any comparison.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Deputy President be pleased to state whether——

Mr. NARENDRA KUMAR BASU: On a point of order, Sir. Is the Deputy President an hon'ble gentleman? (Laughter.)

Mr. SHANTI SHEKHARESWAR RAY: I believe that he is speaking on behalf of the Hon'ble President. May I ask him whether the minimum requirement has been fixed by the Government or by the Hon'ble President?

Mr. DEPUTY PRESIDENT: I want notice of that question.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Deputy President be pleased to state whether the Assistant Secretary has been appointed?

Mr. PRESIDENT: That question does not arise.

Maulvi SYED MAJID BAKSH: Will the Deputy President be pleased to state whether he is aware that the Council staff is overworked and work till 8 o'clock at night.

Mr. PRESIDENT: It is more or less a departmental matter.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, you were pleased to disallow my question but may I point out that in the answer the gazetted staff has been shown as follows: One Secretary and one Assistant Secretary. I only wanted to know whether the Assistant Secretary is already on the staff.

Mr. DEPUTY PRESIDENT: No.

Mr. P. BANERJI: Is the Deputy President in a position to contradict me if I say that the work of the Legislative Department consists only of drafting official Bills, while the work of the Council Department is——

Mr. PRESIDENT: I do not allow that question. The Deputy President has already made it absolutely clear that the staff was not determined on any comparison between the two departments. Therefore why should you draw an analogy between the two? Besides, he is not in a position to answer any question relating to the Legislative Department.

Mr. P. BANERJI: I only wanted to point out that the Council Department is overworked.

Maulvi SYED MAJID BAKSH: Will the Deputy President be pleased to inquire whether the staff of the Council Department is overworked or not?

Mr. DEPUTY PRESIDENT: It will be inquired into.

Maulvi SYED MAJID BAKSH: Will the Deputy President be pleased to state whether the statement that he has made is from his personal knowledge?

Mr. PRESIDENT: I do not allow that question.

Mr. NARENDRA KUMAR BASU: May I point out, Sir——

Mr. PRESIDENT: Are you making a statement?

Mr. NARENDRA KUMAR BASU: No, Sir, I am making a request to you that the Deputy President should have a seat near you or the Council Secretary to answer these supplementary questions. (Laughter.) I am quite serious about it.

Local ministerial officers in the civil and criminal courts in the districts.

***31. Babu SATYA KINKAR SAHANA:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state what percentage of the present ministerial officers in the civil and criminal courts in the districts are local people?

(*b*) Will the Hon'ble Member be pleased to state whether the Government are considering the advisability of enforcing in the matter of postings of ministerial officers the same rules that are followed in the case of gazetted officers?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) A statement is laid on the table.

(*b*) No.

Statement referred to in the reply to starred question No. 31 (a).

Percentage of ministerial officers recruited locally in the civil and criminal courts in Bengal:—

Name of district.	Civil Court.	Criminal Court.
Burdwan Division.		
Burdwan	75	72·5
Bankura	84·7	91
Midnapore	86·3	87·9
Hooghly*	..	66
Howrah*	64·4	53·4
Birbhum	87·8	85

* Combined civil district.

Name of district.	Civil Court.	Criminal Court.
Presidency Division.		
24-Parganas	58·7	40
Nadia	74	88·11
Murshidabad	78	86·3
Jessore	75·8	86
Khulna	58·92	77·2
Dacca Division.		
Dacca	86	75·75
Mymensingh	67·1	90
Faridpur	69·5	64·66
Bakarganj	69	79·7
Chittagong Division.		
Chittagong	97·6	90·78
Tippera	72	77·6
Noakhali	66·4	78
Chittagong Hill Tracts ..	..	20
Rajshahi Division.		
Rajshahi*	..	48·1
Malda*	73·6	66·6
Darjeeling	75	57
Dinajpur*	..	45·9
Jalpaiguri*	44	19·23
Pabna*	..	89·04
Bogra*	78·1	68·5
Rangpur	33	38·73

*Combined civil district.

Rai Sahib SARAT CHANDRA BAL: Will the Hon'ble Member be pleased to state how the Government circular regarding the appointment of depressed class candidates in the ministerial services has been given effect to by the district authorities?

The Hon'ble Mr. W. D. R. PRENTICE: I think, if I recollect aright, the first statement under that circular comes in at the end of the year 1932-33 and I am not able to make any statement before that year expires.

Rai Sahib SARAT CHANDRA BAL: Will the Hon'ble Member be pleased to issue to the members of the Council a list of the depressed class candidates appointed by the district authorities in the ministerial services?

The Hon'ble Mr. W. D. R. PRENTICE: By the district authorities of Bankura only or for all the districts in Bengal?

Rai Sahib SARAT CHANDRA BAL: For all the districts in Bengal.

The Hon'ble Mr. W. D. R. PRENTICE: I cannot promise to publish such a list.

Rai Sahib SARAT CHANDRA BAL: Could the Hon'ble Member do it for the district of Faridpur?

The Hon'ble Mr. W. D. R. PRENTICE: May I ask, Sir, whether that question arises?

Mr. PRESIDENT: If it cannot be done you may tell him so.

The Hon'ble Mr. W. D. R. PRENTICE: If the Hon'ble Member comes to me some time at the end of 1932-33 I will give him any information I have regarding the Faridpur district.

Process-servers.

***32. Maulvi NUR RAHMAN KHAN YUSUFJI:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether it is a fact that the process-servers are not given pen, paper, blotter, etc., to write out their reports of service of processes in the districts of Chittagong and Dacca?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what actions were taken on the petition of the process-servers at Munshiganj (district Dacca) praying for such stationeries?

(*c*) Are the Government considering the desirability of issuing necessary instructions to all the District Judges entitling the process-servers to have these at Government cost?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*), (*b*) and (*c*) The member is referred to the answer given to a similar question asked by Babu Amulyadhan Ray.

Dolai Khal Canalisation Project.

*33. **Rai Bahadur SATYENDRA KUMAR DAS:** (*a*) Will the Hon'ble Member in charge of the Irrigation Department be pleased to state whether funds have been allotted in the next year's budget for the execution of the Dolai Khal Canalisation Project at Dacca?

(*b*) If the reply to (*a*) is in the negative, will the Hon'ble Member be pleased to state the reasons for postponing the project, for which administrative sanction has already been accorded?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Chuznavi): (*a*) No.

(*b*) Revision of the scheme administratively sanctioned is under consideration, and further it is not possible to make provision owing to financial stringency.

Rai Bahadur SATYENDRA KUMAR DAS: With reference to answer (*b*), will the Hon'ble Member be pleased to state whether it relates to the town portion of the scheme and if that be so the approximate cost of that scheme?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: That matter has been fully explained in the answer to the question already.

Inclusion of a portion of the Midnapore district in the province of Orissa.

*34. **Mr. R. MAITI:** (*a*) Is the Hon'ble Member in charge of the Political Department aware—

(*i*) that the people of Orissa are holding meetings all over Orissa, in which resolutions are being passed and sent to the authorities concerned, for the inclusion of the southern portion of the district of Midnapore in the proposed separate province for Orissa, on the basis of the declaration made by the Secretary of State for India at the Third Round Table Conference, to the effect that there should be a separate province for Orissa, the boundaries of which will have to be resettled;

(*ii*) that the people of Midnapore as well as the Government of Bengal were opposed to any portion of the district of Midnapore being transferred to Orissa, and expressed their opinion to that effect before the Boundary Commission, appointed to inquire into the boundaries between Orissa and Midnapore and other places;

(*iii*) that the aforesaid Boundary Commission came to the conclusion, after careful investigation into the matter, that no portion of the district of Midnapore should go to Orissa on the ground of linguistic affinity and on various other grounds?

(*b*) If the answer to (*iii*) is in the affirmative, will the Hon'ble Member be pleased to state what is the necessity of reopening the question of boundaries once again, seeing that it was already set at rest by the aforesaid Boundary Commission?

(*c*) Will the Hon'ble Member be pleased to state whether the people of Midnapore will be given an opportunity of expressing their views before the proper authorities regarding this matter, before any definite step is taken?

(*d*) Will the Hon'ble Member be pleased to state whether the Government propose taking any steps in order to allay the feelings of anxiety and discontent on the part of the people of Midnapore in this matter?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) (*i*) Government have received a copy of only one list of resolutions passed at a conference called the Utkal Leaders' Conference held on the 12th and 13th February at Cuttack. Some of these resolutions urged the inclusion of the Jhargram and Contai subdivisions and certain other thanas in the new province of Orissa.

(*ii*) The Government of Bengal have not expressed any opinion on the subject, but the Orissa Committee recognised that an overwhelming majority of the people of the area affected were against the transfer of all or any of the areas of Midnapore claimed by the Oriyas.

(*iii*) Yes.

(*b*), (*c*) and (*d*) Government are unable to answer these questions as the further developments of the case lie with the Government of India.

Mr. R. MAITI: Will the Hon'ble Member be pleased to state whether it is a fact that certain officials were examined before the Boundary Commission on behalf of the Government of Bengal and that they gave evidence against the inclusion of any portion of the district in Orissa?

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether the Government share the views of the people of the locality in the matter?

The Hon'ble Mr. W. D. R. PRENTICE: It is said in my reply (*ii*) that the Government of Bengal have not expressed any opinion in the matter.

Conviction in connection with the civil disobedience movement.

*35. **Babu SUK LAL NAG:** Will the Hon'ble Member in charge of the Political Department be pleased to lay on the table a statement showing—

(*i*) the total number of persons convicted in 1930 in connection with the civil disobedience movement;

(*ii*) the total number thereof placed in Divisions 1, 2 and 3, respectively;

(*iii*) the total number of persons convicted in 1932; and

(*iv*) the total number thereof placed in Divisions 1, 2 and 3, respectively?

The Hon'ble Mr. W. D. R. PRENTICE: (*i*) to (*iv*) A statement is laid on the table, as desired.

Statement referred to in the reply to starred question No. 35.

Total number of persons convicted in connection with civil disobedience movement—

1930.

No separate account of such persons was maintained but the approximate number was 5,600.

1932.

11,786.

Total number thereof placed in Divisions I, II and III, respectively—

1930.

No account kept.

1932.

Division I—28, Division II—312, and the rest in Division III. No account previous to 11th February, 1932, kept.

Ayurveda Committee.

*36. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state what action, if any, have the Government taken upon the Report of the Ayurveda Committee?

(*b*) Is it a fact that Government have decided to constitute a Council and State Faculty of Ayurvedic Medicine and have promulgated statutes on its behalf?

(*c*) If the answer to (*b*) is in the affirmative,—

(*i*) what is the present position of the said Council and Faculty; and

(*ii*) has it come into existence and began to function?

(*d*) If the answer to (*c*) (*ii*) is in the negative, will the Hon'ble Minister be pleased to state what is the difficulty in the way?

(*e*) What initial and recurring expenditure is likely to be incurred for the working of the said Council and Faculty?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) and (*c*) On receipt of the report, Government appointed a small committee to draft rules: and statutes for a Council and State Faculty of Ayurvedic Medicine were subsequently prepared. These were placed before a conference, composed mainly of eminent *kavirajes*, and approved with modifications. The conference was informed that Government were unable to finance the scheme, and was asked to consider its finances. An appeal was made for subscriptions. Nothing more can be done till money is collected.

(*b*) Yes, provided that satisfactory arrangements are made to finance the scheme.

(*d*) The difficulty is finance.

(*e*) Capital expenditure has been estimated at Rs. 3,000 and recurring at Rs. 16,236 per annum to begin with.

Rai Bahadur Dr. HARIDHAN DUTT: Will the Hon'ble Minister be pleased to state whether there is any serious difficulty in asking the Council of State Faculty of Medicine to take up this as an additional duty?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: That question has not been considered. It must be kept separate from the Council of State Medical Faculty. I may, however, tell the House that since this question has been in print we have received a donation of Rs. 5,000 from Kaviraj Puranmal Goswami.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Minister be pleased to state whether it is the desire of the Government that it should be run entirely by donations and contributions?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes, it is so at present.

Mr. NARENDRA KUMAR BASU: Now that a sum which is more than the capital expenditure has been received, will the Hon'ble Minister be pleased to state whether he is prepared to proceed with the scheme at once?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The difficulty is about the recurring expenditure.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Minister be pleased to state whether this donation is a part of a larger donation which has been promised?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Minister be pleased to state whether it is the intention of Government to contribute anything at present?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: At least no provision has been made in this year's budget.

Azimganj City station.

*67. **Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur:** (*a*) Will the Hon'ble Member in charge of the Public Works (Railways) Department be pleased to state—

(*i*) whether it is a fact that an application has been sent to the Agent, East Indian Railway, pointing out some grievances in connection with the Azimganj City station;

(*ii*) whether it is a fact that the Agent visited the said station in December last;

(*iii*) whether the people of the locality had approached him during his local inspection; and

(*iv*) whether the Agent had allowed them to lay before him their grievances on the subject?

(*b*) If the answer to (*a*) (*iv*) is in the negative, what are the reasons therefor?

(*c*) Will the Hon'ble Member be pleased to state as to how the matter stands at present?

The Hon'ble Mr. J. A. WOODHEAD: (*a*) (*i*) Yes.

(*ii*) The Agent passed through the station on a trolley in December last whilst on some official business, but did not visit or inspect the station.

(*iii*) On the day in question except for the occasion mentioned above the Agent spent the whole day at the Azimganj Junction station and no member of the public approached him whilst he was there. When passing through the Azimganj City station, the Agent noticed a considerable number of people on the platform and at his request the Divisional Superintendent (who was accompanying him) spoke to them and having ascertained that they wished to know what action was being taken on their application, informed them that he was dealing with the matter.

(*iv*) In view of the answer to (*iii*) the question does not arise.

(*b*) Does not arise.

(*c*) Certain minor improvements have been carried out at the Azimganj City station, but owing to the limited area available it is not possible to do more.

Advisory Committees of the Eastern Bengal and Assam-Bengal Railways.

***38. Mr. ANANDA MOHAN PODDAR:** Will the Hon'ble Member in charge of the Commerce Department be pleased to state—

(*i*) whether there are local Advisory Committees of the Eastern Bengal and Assam-Bengal Railways at Calcutta and Chittagong, respectively;

(*ii*) the principle on which selection is made of the personnel on such Advisory Committees, and their present constitution; and

(*iii*) when were these committees last constituted, and how long will they last?

MEMBER in charge of COMMERCE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (*i*) Yes.

(*ii*) A statement showing the constitution of the committees is laid on the table. This statement indicates the principle on which the members are selected.

(*iii*) The committees were constituted originally in 1923. Nominations are made from time to time as vacancies occur by resignation, or on completion of the term of appointment of the members, or from other causes. The term of appointment of the members is for two years, or, in the case of the Council representatives, two years or the duration of their membership of the Council, whichever is less.

Statement referred to in the reply to starred question No. 38 (ii), showing the constitution of the Assam-Bengal and the Eastern Bengal Railways Local Advisory Committees.

ASSAM-BENGAL RAILWAY.

(1) The Agent, Assam-Bengal Railway, *ex-officio* Chairman.

(2) Two representatives of the local Governments—one nominated by the Government of Bengal and one by the Government of Assam.

(3) Two representatives of the public nominated by the Government of Bengal from amongst the non-official members of the Bengal Legislative Council representing, or resident in, districts served by the railway.

(4) One representative of the Assam Legislative Council.

(5) One member from the local bodies at the headquarters of the railway nominated alternately by the Chittagong Municipality and the Chittagong District Board.

(6) One member nominated by each of the following bodies and industries:—

(*a*) Port Commissioners, Chittagong.

(*b*) Chittagong Chamber of Commerce.

(*c*) Indian Merchants' Association, Chittagong.

(*d*) The tea industry.

(*e*) The jute industry.

EASTERN BENGAL RAILWAY.

(1) The Agent, Eastern Bengal Railway, *ex-officio* Chairman.

(2) Two representatives of the local Governments—one nominated by the Government of Bengal and one by the Government of Assam.

(3) Three representatives of the public nominated by the Government of Bengal from amongst the non-official members of the Council representing, or residing in, the districts served by the railway.

(4) Three members nominated by the Bengal Chamber of Commerce.

(5) Two members nominated by the Bengal National Chamber of Commerce.

(6) One member nominated by the Calcutta Trades Association.

(7) One member nominated by the Indian Chamber of Commerce.

(8) One member nominated by the Calcutta Corporation.

Rai Bahadur SATYENDRA KUMAR DAS: With reference to answer (*ii*) will the Hon'ble Member be pleased to mention the name of the non-official members of the Council representing the Dacca section of the Eastern Bengal Railway?

The Hon'ble Mr. J. A. WOODHEAD: I do not think any person is appointed for any particular section of the railway.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Détenus Nirode Baran Bhowmik and his brother of Dacca.

29. Dr. AMULYA RATAN GHOSE: (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state—

(*i*) whether it is a fact that the two détenus of Dacca, namely, Nirode Baran Bhowmik and his brother Sudhangsu were the only bread-earners of their family;

(*ii*) whether the mother of the said détenus has been ailing for the last six years from gastritis, heart disease and other troubles, for which she often requires medical help;

(*iii*) whether the worship of the "Narayan Chakra," the family deity, is almost stopped for want of funds; and

(*iv*) whether the old and ailing mother and father of the détenus are passing their days with extreme difficulty?

(*b*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability of granting the family sufficient allowances to maintain themselves and defray other necessary expenses or allowing at least one brother to earn and help the family?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) and (*b*) The grant of allowances is governed by the provisions of section 12 of the Bengal Criminal Law Amendment Act, 1930, as amended by Bengal Act IV of 1932. The facts of each case are treated as confidential and Government are unable to make any statement regarding them.

Ahsanullah Engineering School.

30. **Rai Sahib REBATI MOHAN SARKER:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(i) the rules as to leave of the *mistries* of the Ahsanullah School of Engineering treated on a temporary basis; and

(ii) how far the proposal for the increment of the pay of the *mistries* has progressed?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (i) Subsidiary Rule 275 under the Fundamental Rules regulates the grant of leave to temporary Government servants.

(ii) The details of the proposal have been worked out and the scheme awaits the provision of funds.

Détenu Babu Probodh Chandra Bose of Shibpore.

31. **Dr. AMULYA RATAN GHOSE:** (a) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether it is a fact that Babu Probodh Chandra Bose of Shibpore, Howrah, is detained under the Bengal Criminal Law Amendment Act in Berhampore Jail?

(b) If it is a fact—

(i) that since his detention he has been suffering very badly from pernicious anæmia; and

(ii) that he has lost 25 lbs. in weight?

(c) If the answers to (a) and (b) are in the affirmative, what steps have been taken by the Government towards his treatment?

(d) What is the result of the treatment, and how is he now?

(e) How long will he be kept in detention?

(f) Are the Government considering the desirability of detaining him at his own residence, so that he may get treatment and nursing to his satisfaction?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (a) Government are not prepared to publish the places of detention of individual détenus.

(*b*) (*i*) No. On examination he is found to have slight anæmia which is not pernicious, but he has declined to go to hospital for treatment.

(*ii*) No. His weight has increased from 140 lbs. to 149 lbs.

(*c*) and (*d*) Do not arise.

(*e*) Government are not prepared to make a forecast.

(*f*) No.

Tax realised under Bengal Motor Vehicles Act.

32. Babu JATINDRA NATH BASU: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state what is the aggregate amount of tax realised from the time that the Bengal Motor Vehicles Act came into operation up to the 30th September, 1932?

(*b*) Have the proceeds of the tax been yet distributed?

(*c*) Has any scheme of distribution been framed as regards the allocation of the proceeds of the tax amongst the local bodies, urban and rural?

(*d*) If the answer to (*c*) is in the affirmative,—

(*i*) what is the scheme; and

(*ii*) what are the proportions in which the proceeds of the tax are going to be distributed amongst the different classes of local bodies?

(*e*) Has the attention of Government been drawn to the scheme of distribution of the motor vehicles tax already adopted and put in operation by the Government of Bihar and Orissa?

(*f*) Are the Government considering the desirability of putting into operation at an early date in this province a scheme on the same lines?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) Rs. 8,50,000.

(*b*) and (*c*) No.

(*d*) Does not arise.

(*e*) Yes.

(*f*) No. But the Bihar and Orissa scheme will be taken into account at the time of framing a scheme for this province.

Mr. S. M. BOSE: With reference to (*c*) will the Hon'ble Minister be pleased to state whether any distribution has been made?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The Road Board will meet on the 24th next, when they hope to come to some arrangement about the distribution.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state what is the Bihar and Orissa Scheme like?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I think it is distribution on the mileage of roads maintained and on the basis of actual expenditure by the local bodies on roads.

Khan Bahadur Maulvi AZIZUL HAQUE: Is the Hon'ble Minister aware that it is causing very great hardship to municipalities and district boards in Bihar and Orissa?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Government have no information.

Khan Bahadur Maulvi AZIZUL HAQUE: In view of that is the Hon'ble Minister considering the desirability of having an independent scheme for Bengal not based on the Bihar and Orissa Scheme?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The Bihar Scheme would be one of the schemes that will be considered by the Road Committee.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state whether it is likely that a decision will be arrived at soon after the report and the recommendation of the Road Board is received?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes.

Incapability of the cultivators of Noakhali to pay rents.

33. Maulvi MUHAMMAD FAZLULLAH: (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether it is a fact that the cultivators of the Noakhali district have become incapable of paying up their rent and other dues owing to the fall in prices of agricultural products and other commodities?

(*b*) If the answer to (*a*) is in the affirmative, what steps have the Government taken or propose taking to relieve the poor agriculturists?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) Cultivators of all districts have been affected by the fall in prices, but Government have received no information that the cultivators of Noakhali have become incapable of paying rent or other dues or that they have been affected more than cultivators of other districts.

(*b*) Does not arise.

Process-servers.

34. Babu AMULYADHAN RAY: (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether it is a fact that the process-servers are not given pen, pencil, ink, paper, blotter, etc., to write out their reports of service of processes in the districts of Chittagong and Dacca?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what actions were taken on the petition of the process-servers at Munshiganj (district Dacca) praying for such stationeries?

(*c*) Are the Government considering the desirability of issuing necessary instructions to all the District Judges entitling the process-servers to have these at Government cost?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) No such articles are supplied to process-servers in Chittagong. Process-servers in Dacca are supplied with such articles as the District Judge considers necessary, on demand.

(*b*) The munsif in charge of the Nazarat was directed to supply such articles as were necessary.

(*c*) No.

DEMAND FOR GRANT.

Expenditure in England.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 47,000 be granted under the head "Expenditure in England" to cover the anticipated excess over the voted grant during the current financial year.

Sir, the reason for the anticipated excess expenditure has been explained in the memorandum which has been circulated to the hon'ble members of the House: but as I notice that Mr. N. K. Basu—my

esteemed colleague on the Public Accounts Committee—has tabled a motion in order to call attention to the unsatisfactory estimating and allocation of the grant, I perhaps might explain in further detail why this excess was not anticipated when the budget was prepared. Members will doubtless realise that the budget is framed about 18 months before the end of the financial year to which it relates and must necessarily often be prepared with reference to past actuals. In this case the estimate was made on the basis of the previous 4 years' expenditure. In one of these years the expenditure was low and that year was, therefore, excluded. The average expenditure during the other 3 years was Rs. 1,67,000, allowing for the 10 per cent. cut in pay the average actual expenditure came to Rs. 1,50,000 and the budget was fixed at Rs. 1,57,000 allowing a margin of Rs. 7,000. The actual expenditure is now estimated at Rs. 1,99,000 which is very much in excess of the expenditure in any previous year. It is always difficult to foretell the expenditure under this head, because it depends on the number of officers who proceed on leave to England, and in this case I would remind the House that the officers in question are not "non-voted" but "voted" officers.

Motion for reduction.

Mr. P. BANERJI: Sir, may I rise on a point of order? I tabled a motion for the total refusal of the grant.

Mr. PRESIDENT: Your motion was rightly disallowed as it wanted to refuse the whole grant.

Mr. P. BANERJI: May I refer you, Sir, to rule 91 (2)?

Mr. PRESIDENT: Will you please read out the rule?

Mr. P. BANERJI: Sir, the rule says: "Motions may be moved at this stage to reduce any grant or to omit or reduce any item in a grant but not to increase or alter the destination of a grant."

Mr. PRESIDENT: What is your interpretation of the rule? To me it is very clear.

Mr. P. BANERJI: Sir. I want your ruling why my motion has been disallowed?

Mr. PRESIDENT: You have cited this rule in support of your case. On what portion of it do you take your stand?

Mr. P. BANERJI: Sir, I have already referred you to rule 91 (2). The note to that rule states that a motion can be moved at this stage to omit or reduce any item in a grant. My motion was for total refusal. "Omission" means refusal and that is my point.

Mr. PRESIDENT: I had better explain that the rule clearly indicates that it is not within the competence of any member of this House to refuse a grant totally, but he can reduce it or omit an item of it. This is not an item but a total grant, and the only course that is left open to you if you want to defeat such a motion is to vote against it.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 47,000 under the head "Expenditure in England" be reduced by Rs. 100.

Sir, my only intention in moving this cut is to draw the attention of the members to a publication which is annually placed in their hands embodying the labours of the committee which they elect to go into the Public Accounts. In the last report at page 8 the committee unanimously, with the Hon'ble Mr. Woodhead as its President, said this: "In the High Commissioner's budget we noticed several instances of additions to grants which proved unnecessary in view of ultimate savings and while appreciating his difficulties we suggest that he be asked if more accurate estimate is not possible." That, Sir, was with regard to the year 1930-31; I am now drawing the attention of the House to the fact that such a variation has been asked for here—from 1,57,000 to 1,99,000—that it is something which certainly ought to have been foreseen. On behalf of the Legislative Council, I beg to enter my emphatic protest against the slip-shod manner in which the estimates are framed in the High Commissioner's office.

The Hon'ble Mr. J. A. WOODHEAD: Sir, I believe that in view of the report of the last Public Accounts Committee we have drawn the attention of the High Commissioner to the desirability of more accurate budgeting. But as Mr. Basu himself will certainly realise there are difficulties in estimating the expenditure under this head, largely because it is difficult so far ahead to say how many officers will be on leave. We get statements from officers who desire to go on leave, but these statements are naturally incomplete and we cannot refuse an officer leave simply because he has not announced at least a year before his intention to do so. Sir, I have nothing further to add.

The motion was then put and lost.

The original motion was then put and agreed to.

LEGISLATIVE BUSINESS.

GOVERNMENT BILLS.

The Opium (Bengal Amendment) Bill, 1931.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I beg to present the Report of the Select Committee on the Opium (Bengal Amendment) Bill, 1931.

Sir, I beg to move that the said Bill be taken into consideration.

The motion was put and agreed to.

Clauses 1, 2 and 3.

Mr. PRESIDENT: The question is that clauses 1, 2 and 3 stand part of the Bill.

The motion was put and agreed to.

Clause 4.

Mr. PRESIDENT: The question is that clause 4 stand part of the Bill.

Babu KISHORI MOHAN CHAUDHURI: Sir, I beg to move that clause 4 (*1*) be omitted.

My reason is that in the Statement of Objects and Reasons we see no question of policy is raised nor in any of the amendments. We cannot understand the reason why an enhancement of punishment has become necessary. I do not think that a long-term imprisonment is really deterrent in eradicating the evil and a punishment of one year and a fine of Rs. 1,000 would, I think, meet the case. Originally it was only a fine without any limit and the imprisonment was only for a period of one year, but the amendment is that it should be for a period of two years and that a fine should be imposed up to Rs. 1,000. There is no special necessity at least for imposing such a fine. The Hon'ble Minister-in-charge admits that no principle is involved. For this reason I do not think that there should be an increase in the punishment and I think it should remain as it is and there is no special necessity for increasing the term of imprisonment from one year to two years. Sir, this is all that I have to say in support of my amendment.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I rise to oppose this amendment. In view of the fact that international traffic in opium has become a serious menace, Government was advised to

introduce a Bill for the purpose of increasing the punishment. I may inform the mover that the British law with regard to punishment for traffic in opium is a fine of £1,000 and I think 10 years' rigorous imprisonment; in place of that a fine of Rs. 1,000 and two years' rigorous imprisonment is a very light punishment with which the offender would escape. In view of this consideration, I think the mover will withdraw his amendment.

The motion was then put and lost.

Clauses 5 to 13.

Mr. PRESIDENT: The question is that clauses 5 to 13 stand part of the Bill.

The motion was put and agreed to.

Preamble.

Mr. PRESIDENT: The question is that the Preamble stand part of the Bill.

The motion was put and agreed to.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to move that the Bill, as settled in Council, be passed.

The motion was put and agreed to.

The Bengal Local Self-Government (Second Amendment) Bill, 1932.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, in August last when the Bengal Municipal Bill—clause 17, I believe now it is section 19 of the Bill—was under discussion, a general opinion was expressed from almost all the groups of this House that a similar provision should be introduced in the Local Self-Government Act, to secure similar privileges to the minority communities. Government tried to introduce the clause in the Local Self-Government Bill——

Mr. PRESIDENT: May I point out that it will be far better if you simply move your motion at this stage, and allow the title of the Bill to be read out by the Secretary? After that you can make your comments——

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to introduce a Bill further to amend the Bengal Local Self-Government Act of 1885.

The Secretary read the title of the Bill.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: As I was just submitting a general desire was expressed from almost all the groups in this House that a similar provision should be introduced in the Local Self-Government Act in order to secure similar privileges to the minority communities. Government wanted to do so in the Local Self-Government Bill which was then before the House, but they were advised that this provision would be beyond the scope of the Bill. So they had no other alternative but to introduce a fresh Bill for the insertion of this provision in the Act. The House stands committed to it. Both the Hindus and Muhammadan communities have accepted it in connection with the Bengal Municipal elections. So I hope there will be no opposition to this Bill, and that it will be passed unanimously.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to move also that the Bill be taken into consideration.

Maulvi TAMIZUDDIN KHAN: I beg to move, by way of amendment, that the Bill be circulated for the purpose of eliciting public opinion thereon before the 31st May, 1933.

Sir, I do not think that the Bill is so non-controversial as not to require publication for the purpose of eliciting public opinion. It has been said by the Hon'ble Minister in his speech introducing the Bill that the House stands committed to the principle proposed in the Bill, namely joint electorate with reservation of seats for minority communities. Of course, when the Bengal Municipal Amendment Bill was before this House, there was a compromise between the Hindu and Muslim communities that a provision for joint electorate with reservation of seats for minority communities might be introduced. Also during the discussion of that Bill opinion was expressed in certain quarters that a similar provision might be embodied in the Local Self-Government Act. But that was the opinion expressed by several individuals in this House. I do not think that the Hon'ble Minister quite means that the House stands committed to a particular opinion so far as this is concerned. I think so far as this Bill is concerned, the Hon'ble Minister ought to have waited for some time so as to examine the effect of the Bengal Municipal Act that was recently passed in this House. The elections under the amended Bengal Municipal Act are now about to take place in all the districts, and we have been hearing complaints from many districts about the feasibility of the scheme that has been introduced in the Act by the last amendment. Now, it seems only proper for the Government to wait and see the results of the elections under the amended Municipal Act. When the results are known to us, we shall be in a position to consider whether a similar povision should be introduced also in the Bengal Local Self-Government Act. So far as this matter is concerned, I hope the House will not misunderstand me. It is not from a

communal point of view that I am moving this motion for circulation. It may be said in certain quarters that the Moslems gained an advantage by having a provision like that in the Bengal Municipal Act because in most of the municipalities the Moslems are in the minority, but the Moslems being in the majority in the district boards are not prepared to give the same concession to the minority communities. If this assertion is made, I would submit that it is not true, and also I want to make it clear that I have no intention of depriving any community of its just and proper rights. It will be seen that although in this province the Moslems are in a majority, still if we take into account all the district boards in Bengal, it will be found that in the majority of the district boards the Moslems are not in majority. The number of district boards in which the Moslems are chairmen or in authority, is smaller than the number of boards where non-Moslems are in a majority. Therefore, if this provision is introduced I do not say the Moslems will be at a disadvantage, and the non-Moslems will be at an advantage. Therefore it cannot be said that I am asking for circulation of the Bill from a communal point of view.

Secondly, from the point of view of principle this will be a retrograde measure. The ideal of all of us is joint electorate, but in the circumstances we have not been able to reach that ideal on account of certain obstacles. Separate electorate therefore has still to be retained in certain quarters as a necessary evil but where there is the system of joint electorate without reservation of seats already in vogue, that is where there is already an ideal state of things, it will be only a retrograde step to go back and introduce separate electorate through the backdoor, because joint electorate with reservation of seats is only another name for separate electorate. Therefore, I think the House ought to think twice before making such a wholesale change in the self-governing bodies of Bengal. I think we should wait for a few months and look at the results of the municipal elections under the amended Bengal Municipal Act, and if the elections go well, and if there is no serious objection then I think it will be proper time for the Hon'ble Minister to go on with this Bill.

There is another question. So far as the Bengal Municipal Act is concerned, it was amended very thoroughly by the last amending Act, and the whole constitution was changed. But here the Hon'ble Minister has left the constitution intact. In the Municipal Act the element of nomination has been reduced to a large extent, but here it remains as it has been since 1885. Therefore without touching the constitution, without revising the whole constitution, it will be very improper to introduce the system of joint electorate with reservation of seats in the self-governing bodies of Bengal.

With these words I commend my motion to the acceptance of the House.

Mr. PRESIDENT: There are several amendments on similar lines. I think that they need not be moved. If any member wishes to speak on this amendment, he can do so at this stage.

Mr. C. C. COOPER: On a point of information, Sir. May I inquire from Government whether there is any need to rush forward this Bill? I should like to know what are the dates of election for local bodies and district boards. Are they within the next week or two, within the next month or two, or within the next year or two?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: As a matter of fact, the local bodies are being constituted every week. All of them are not reconstituted on the same date. There are 26 district boards, and I think three times the number of local boards. They are reconstituted when their normal dates expire.

Mr. S. M. BOSE: I must say I am astonished at the opposition of my friend Maulvi Tamizuddin Khan. May I remind him of the speech of Mr. Fazl-ul Huq who spoke not individually but on behalf of the whole group? I am sure all of us will remember the fine speech he made. He made a reference then to the specific amendment of the Act now before us and said that he spoke not on behalf of himself, he spoke on behalf of the whole group. He further said that if the Hon'ble Minister did not introduce his amendment (which he has now done), he, Mr. Huq, would himself at the time when this Bill was before us, would introduce a similar amendment. So I cannot understand how Mr. Tamizuddin Khan now says that Mr. Huq spoke simply as an individual. He did nothing of the kind. I am very glad to find that Mr. Tamizuddin Khan is now a strong advocate of joint electorates, and I am very glad indeed to have this assurance. I am sure that in moving this amendment he is not in any way actuated by any feelings of bias against the Hindu community, so I would ask him, having regard to the fact that his group at any rate are committed to this amendment, to withdraw this motion.

Babu JITENDRALAL BANNERJEE: I have always found that when a proposal, which is essentially, absolutely and most bitterly communalistic in character, is brought before the House, there is always a great pretence that there is nothing communal about it. This is certainly trying to impose upon the credulity of this House. Mr. Tamizuddin Khan comes out to-day as an advocate of the system of joint electorates. He says that it is an ideal state of things. Why did he not act on that knowledge when the Bengal Municipal Act was being discussed in this House? Then he was all for the Muhammadans. "We are the minority, we claim protection"—that was the burden of his cry. But now, when the Hindus are in a similar minority and want a similar protection for themselves, then he comes forward and says, "why upset the ideal state

of things—this state of things which has been in existence since 1888!" And this ideal state of things had been prevailing in the matter of the Municipal Act also, and he had no compunction about disturbing its sacred character when it suited his purpose to do so. Does he not know, does he not understand the real position of affairs in most of the districts of Bengal? In Jessore, Mymensingh and Dacca, do the Hindus play any part whatever in Local Self-Government, have they any chance whatever of coming in at all through the joint electorates? They have not. Last time Mr. Fazl-ul Huq recognised this fact, and therefore he said that the concession which he wanted for his community, that concession they were prepared to extend to us, Hindus, also. In this he was enthusiastically backed by the opinion of the Moslem group, and if to-day my Muhammadan brethren want to go back on the pledge then solemnly given, it is their look-out. But I want to remind them that they must stand or fail by their choice. You cannot blow hot and cold in the same breath; you cannot to-day plump for joint electorate and to-morrow for separate electorates. If to-day you say that joint electorate is your ideal, then remember that when the question of election to the Council is under consideration, you should not speak in another voice then. Fair-play is a jewel; that is a point which my Moslem brethren must remember and they must understand that to-day they will be judged by their professions three months back and their practice to-day.

Dr. NARESH CHANDRA SEN GUPTA: As one who has never been very much in love with the famous section 17A of the Bengal Municipal Act, as one who looks upon that section as a monstrosity, I think I am in a position to deal with this amendment of Maulvi Tamizuddin Khan with a certain amount of detachment. The question is no longer one of principle; the principle has been sacrificed in this House times without number, and I believe for the last time when the famous section 17A of the Bengal Municipal Act was passed. How was it passed? We were assured—and I think there was basis for that assurance—that that was the result of an agreement arrived at between the various sections of this House. If that was so, it was not a unilateral agreement. The agreement, so far as it went, was an agreement given and taken on both sides of the House, and it was definitely understood not only in the speech which was made by Mr. Fazl-ul Huq in this House but apart from that, it was definitely understood that a similar amendment in the Local Self-Government Act would be acceptable to this House and would be supported by it. It was only a difficulty about the rule or order that prevented that being done then. I believe these are facts of history which we have not quite forgotten. If that was the position, if a part of the agreement has been carried out and the other part has not been carried out, then I submit that the doctrine of part performance applies, and this amendment must follow as a logical consequence; you cannot get out of it. It is a logical consequence of

the principle you have adopted by a solemn agreement and upon the basis of which the Hon'ble Minister has only formally brought it before the House. To turn round now and suddenly to discover that this is a matter which requires consideration by the public, seems to be somewhat extraordinary. If it did require consideration by the public, I should have thought that when the amended section 17A was being considered by the House, some member upon that side of the House should have moved for circulation of the Bill for consideration of that clause. Not having done so, and having swallowed that principle, in spite of the admiration of Mr. Tamizuddin Khan for joint electorate,—it seems somewhat extraordinary that he should suddenly wake up to the fact that this Bill requires circulation for eliciting public opinion. If it does, so did section 17A. But why was not the breath of a suggestion made for circulation at that time? I am quite ready to accept the amendment and support him if he moved an amendment that section 19 of the Bengal Municipal Act be suspended and both these sections be circulated for eliciting public opinion. If you put it in that way, then the motion may possibly get some support from fairminded men. In the absence of even a breath of such a suggestion, I do not think the Council can listen to this proposal for one moment.

Rai Bahadur SATYENDRA KUMAR DAS: Sir, I rise to oppose the motion. In doing so I find no hesitation to congratulate our Minister the Hon'ble Mr. Bijoy Prasad Singh Roy in the matter of introducing this Bill further to amend the Bengal Local Self-Government Act of 1885.

We are told that this Bill has been drafted on the lines of section 19 of the Bengal Municipal Act, 1932.

Sir, the principle adopted in section 19 of the Bengal Municipal Act of 1932 has passed into law. We have agreed to it, so we can say nothing against that accepted principle now. This is our position. Sir, municipal areas are more or less urban areas. Local and district boards are mainly rural areas. What is good for the urban areas cannot but be good for the rural areas. At least for the sake of justice the same principle must be adopted for both the areas, or it would be a great injustice to adopt two different principles for two different areas, at the same time among the same people.

I again congratulate our Hon'ble Minister for his introduction of this Bill which attempts to do the same justice to the people of both (*a*) rural and (*b*) urban areas.

Sir, at this late hour I do not want to waste your time by making a special pleading for the principle of this Bill. It is clear and simple—

"The number of seats so reserved shall be in accordance to the total population according to the last census." "The Local Government would decide if a community should be taken as a minority community for the purposes of this section."

There is no ambiguity in it. I regret to find that exceptions are taken to it by some members for their extra zeal towards caste loyalty. But narrow caste loyalty is not good politics—much less honest patriotism.

I do not agree to the re-circulation of this Bill. It is unnecessary and mere waste of time. I urge upon this Council to pass it into law without further delay.

Khan Bahadur MUHAMMAD ABDUL MOMIN: We are accustomed in this House to the heat which always emanates from my friend Mr. J. L. Bannerjee, but I am rather surprised at the turn which the discussion on this very simple motion has taken. Maulvi Tamizuddin Khan's motion is a very simple one. What he wants is that the Bill be circulated for eliciting public opinion. It is no use saying that, simply because Mr. Fazl-ul Huq gave expression to some opinion in this House some time back, or even admitting that a majority of this House was in favour of that opinion, that a particular measure brought forward by the Hon'ble Minister should be accepted on the basis of that opinion without eliciting the opinion of those who are primarily concerned. The other day when I brought forward a very simple Bill, perhaps much simpler than the one now brought forward by the Hon'ble Minister, he opposed it and put forward a similar motion that the Bill be circulated for public opinion because at least the Calcutta Corporation which was affected by the Bill should be consulted. This is a Bill which will very seriously affect the constitution of district boards all over Bengal and on similar grounds it is only proper that at least the district boards, if not anybody else, should be consulted. As regards the merits of this particular proposal, I think we have brought in the merits of the joint and separate electorates rather unnecessarily in this connection. We know that there is a very large body of opinion in favour of joint electorate pure and simple, and there are people, Nationalist Muhammadans, for instance, who, although they accept the joint electorates as their ideal, are opposed to any reservation of seats. Similarly there are others who are wedded to separate electorate, who deny that there is any good in joint electorates with or without reservation. I think it is not necessary at this stage to go into these questions. The fact is that a new Bill has been introduced which attempts to change the whole principle of the Local Self-Government Act and it is only meet and proper that the people who are affected by such a Bill should have an opportunity to give their opinion. Why is this hurry, where is the haste that it must be discussed on the floor of the House to-day and must be passed? If the district boards of Bengal could have gone on for the last—I do not know how many years—

for many years without such reservation, I think they can go on for another few months. I think this Bill can be taken up at the next session of the Council. The question of a few months will not affect the country very seriously. Then, why this hurry—desperate hurry I may call it—in trying to get the Bill passed to-day even without obtaining the opinion of the district boards. I think, therefore, that it is only proper that Maulvi Tamizuddin Khan's amendment should be accepted and I strongly support it.

Mr. NARENDRA KUMAR BASU: I submit that so far as the members of this House are concerned, so far at least as the members on this side of the House are concerned, we have listened with amazement and regret to the speeches of Maulvi Tamizuddin Khan and Khan Bahadur Abdul Momin. Whatever may be the truth about the House being committed to one course of conduct or another, I am betraying no confidence when I say that, in the Conference on clause 17A of the Bengal Municipal Bill which is now section 19 of the Bengal Municipal Act, both the Khan and the Khan Bahadur took a very active part and they were proponents of the compromise which was then arrived at, and now for them to say that this is a matter in which the considered opinion of the country is required after they—both of them—had given their solemn personal assurances, and I challenge it without fear of contradiction, for they absolutely said that they would see that the same provision was introduced into the Local Self-Government Act—for them to say so, is absolutely illogical. And I for one am amazed that somebody is quoting scriptures now and pinning his faith on joint electorate. Now, where was his faith in joint electorate when we were discussing the question of joint electorate in connection with the Bengal Municipal Act on the 1st and 2nd August last year? Where were his principles when he entered into the compromise with regard to the Bengal Municipal Act? Sir, it is said that there is no hurry about it. What was the hurry about the other matter, and, Sir, I may also say that this Bill might have been introduced in this Council lately, but it was published in the *Calcutta Gazette* several months back, and as far as I remember it was later than September or October (the Hon'ble Mr. BIJOY PRASAD SINGH ROY: in November) —yes, in November. Well, this Bill has been before the country from November to March and if there were any dissentient views in the country, would not the country have expressed its views within four months? Well, Sir, we know opposition may be manufactured, may be created or even may be fomented. But you cannot say that the country does not want it. The country, I take it, is more honest than the representatives of the country who approbate and reprobate in the same breath and I hope the House will reject the amendment with contempt.

Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, the debate has now come to a stage when it requires coolness and dispassionate

handling in coming to a right conclusion. My friends on the right are arguing the case as if the Mussalmans will be really loser by this motion and the Hindus will all gain. But as far as I know of Bengal, the Hindus of the West Bengal will certainly lose their present position in the district boards if this motion which has been brought forward by the Hon'ble Minister from West Bengal is passed into law. We know, Sir, that one-third of the members will be nominated in future if the old constitution is not changed. Suppose the Government wants to do mischief to somebody, what would they do? The Government can have all this one-third from the Mussalman community without any difficulty. Then there comes the proportionate share that the Mussalmans will get from West Bengal. That proportionate share may also come to one-fourth in some district. Now this one-fourth and one-third makes almost half—more than one-half. That being so, to consider this measure from a communal point of view and to raise heat in the Council where no heat is at all necessary, is hardly justifiable. This is a measure which ought to be very carefully scanned and scrutinised both by the members of this Council and by Government benches as well as by the outside public. Taking my own district into consideration—the district I come from—I may say that we Mussalmans will certainly be gainer if this Bill is passed into law. The proportion of our population there does not come up to one-fourth. The election that took place the other day has not returned a single Mussalman in Jalpaiguri. By fluke one came by nomination. Does not this show that it is not the Mussalmans who are losing: the Mussalmans will also gain by it. But what will be the amount of gain of the Muhammadans and what will be the amount of gain of the Hindus should be carefully scanned before any such measure can be passed into law. Why such a hurry I cannot understand. I have just heard about this measure. I was absolutely unprepared for it when I came here. I have just heard that a Bill like this is before the House. Probably the Hon'ble Minister will say that I am not right in saying this; but I believe many people both on my right and my left will bear me out in what I say. That being the position, and the question being of such a major importance, is it right or is it proper that the Minister should hurry with a legislation like this? My friends must disabuse themselves of the idea that it will be an absolute gain for the Hindu community if they get it passed into law. I say no—and I say no most emphatically. The West Bengal Hindus will lose and lose very heavily. My friend says let them lose—he cares tuppence. But at the same time as a responsible member of this House I cannot be a party to such a measure without understanding the significance of what I am doing. Then, Sir, my friends have tried to show that the Mussalmans have actually gained by the amendment of the Bengal Municipal Act, and they tried to show that some concessions have actually been made to the Mussalmans. I deny that absolutely. I say that when the compromise was made, it

was not made between one section of population and another section. The compromise was really made between the Bill as prepared by Sir Surendra Nath Banerjea and the Bill as it emerged from the Select Committee. The Bill prepared by Sir Surendra Nath Banerjea was a Bill in which he provided for separate electorate for the Mussalmans. The Select Committee—now that it has been passed into law I do not like to say anything—the Select Committee said "no" to that. Then the Minister was in difficulty, because the particular clause of the Bill was thrown out and he wanted to have the Bill passed anyhow; so he asked the Mussalmans to come to terms and the Mussalmans, rightly or wrongly—I say wrongly—helped him.

(At this stage the Council adjourned for 15 minutes for prayer.)

(After adjournment.)

Nawab MUSHARRUF HOSAIN, Khan Bahadur: Now, I have tried to show in the beginning of my speech that the Bill which is now before the House may, if passed into law, lead to a lot of mischief, because in West Bengal, if you do not make provision for reducing the nomination, what will be the effect? Suppose one-third of the members are all nominated from the Mussalman community there, and if they gain one-fourth of the seats from election, will not the minority in that case rule the majority? I say that if that be the case, I would strongly condemn it. In Eastern Bengal a similar thing may happen; one-third may come from the Hindu community by nomination and one-fourth by election. They then form the majority in the district boards there. Is it right and proper that the minorities should rule there? That being the case it is not right on the part of the Hon'ble Minister to bring in a measure like this piece-meal and ask the House to unconditionally surrender its right and get it passed without at the same time considering whether the Bill as a whole, if the other sections are not amended, will do any good to the country or will do mischief. From this point of view I would rather urge that the Bill should be circulated for eliciting public opinion. If that is done the public will have an opportunity of expressing its opinion and after this debate all the members can go home and meditate and form their right opinion. It would then be right for the Hon'ble Minister to bring in a motion for the vote of this House.

Maulvi ABUL KASEM: I am surprised and I deeply regret at the turn which the debate on this motion has taken. In the first place I cannot believe that my friend Maulvi Tamizuddin Khan is very earnest or serious on this motion about the circulation of the Bill, because eliciting public opinion on a simple measure like this is not necessary. The Bill is a very simple one and the principle which it enunciates has been discussed both inside and outside this House for a long time.

Public opinion is more or less known, but I think the object which my friend has in his mind has been fulfilled. It has done one piece of good and that is that Maulvi Tamizuddin Khan by asking for the circulation of the Bill has raised a discussion in which my friends on the other side of the House have got up and said that Maulvi Tamizuddin Khan and Mr. Momin had no face to object to the reservation of seats for the minorities at places where the Hindus are in a minority and the Muhammadans are in a majority. That was the compromise made on the Bengal Municipal Bill, because in municipal areas the Muslims were in a minority and the Hindus were in a majority and therefore they wanted protection by reservation of seats or by other means and when the question comes about the Hindu minority they raise their voice and say that there should be no reservation of seats or a joint electorate on the basis of majority. What I see in it is that my friends when they object to the reservation of seats or when they object to separate electorates in municipalities or anywhere else where the Muslims are in a minority they do not say so on the ground that the Muslims' right should not be protected, but because they say that nationalism and democracy demand that there should be no separate electorates or reservation of seats: one man one vote and the majority must rule the minority. That is the principle that they have enunciated, but to-day I am surprised to find my nationalist friends come forward and say that where the Hindus are in a minority they want protection for the protection of minority interests. I hope and trust, Sir, that in future when this question in other matters comes up, they would adhere to their principle and support reservation of seats for the protection of minorities and their interests.

As regards the merits of the Bengal Municipal Act, I for one was never for reservation of seats for the Muslims. True it is that I wanted a certain number of Muslims to be returned to the municipalities through separate electorates and not by reservation of seats and I hope the opinion will be found to be correct, after experience that the reservation of seats is more an evil than a good. In the first place in a joint electorate if the seats are reserved for the minorities, the majority will have the advantage of choosing a member of the minorities whom they like and who will be subservient to their will. This has happened in the Bengal municipalities and this will happen in the Calcutta Corporation, of which the election is going on. I hope and trust that when seats are reserved the minority communities, such as the Harijans, who are now in the limelight, will also be members and you will have to reserve seats for those gentlemen. I wonder whether it is correct or acceptable to the principle of democracy. It is necessary and a necessary evil that every community, the caste Hindus, the Muslim and the depressed class should have a voice in the self-governing bodies or in the autonomous Government itself. Sir, I think the object of my friend Maulvi Tamizuddin Khan was to test the principle and the policy of my friend on the other

side and he has succeeded in getting from them the admission that protection of the minority is absolutely necessary. Now that it has been done, I hope my friend will have the good sense to withdraw his resolution.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I do not see any reason why the Hon'ble Minister should not accept the very sensible suggestion that has come from Maulvi Tamizuddin Khan. He asks for circulation of the Bill with a view to ascertaining the opinion of the people interested in the matter. Sir, so far as I am aware, there has been no demand from any district board or any public body in Bengal for this measure. Before taking such an important step it is right and proper that the views of the district boards and especially of the people in the *mufassal* and in the rural areas should be ascertained. Sir, I do not want to go into the merits of the proposal. I hold quite different views from the one accepted by the Council in connection with the Calcutta Municipal Act I think that before the same experiment is extended to the rural areas the Government would be well advised to see how this new experiment works in practice. They should see whether those who clamour for such reservation of seats really find the system satisfactory. Sir, I come from North Bengal, a predominantly Moslem area, but my firm conviction is that if this poison is introduced in the rural areas it will have a very very bad effect; where there has been no communal feeling this reservation of seats on the basis of joint electorate will lead to such a thing and perhaps with very far-reaching effects. Several of my Hindu friends are very keen about supporting this measure, but I would ask them to pause and consider whether this is the right time to insist on such a new departure. The question whether the depressed classes are to be treated as belonging to the Hindu community or they are to be treated as a separate entity has not yet been finally decided. There is a school of opinion, and I think that that is the predominant school in Bengal that such distinction is not necessary and I think when real responsible Government—whether in the Central or in the Provincial or in the matter of the local bodies—will be introduced in this country the basis will not be communal consideration, but the true interests of the province as a whole. Sir, simply because a wrong has been done, I call it a wrong and the members of the Council may not think it so, it is not necessary to repeat that wrong and with such a hurry. I hope, Sir, the Government will reconsider their decision and accept this very modest suggestion.

Maulvi ABDUS SAMAD: Sir, I am really surprised at the attitude taken up by some of my Moslem friends at the introduction of this amending Bill. Now what I learn from Mr. Abul Kasem's speech is that Maulvi Tamizuddin Khan is not really serious or earnest in bringing

forward his amendment; but it is important in the way that it has helped us to test the Hindu mentality——

Maulvi TAMIZUDDIN KHAN: That was never my intention, Sir.

Maulvi ABDUS SAMAD: At any rate, that is what Mr. Abul Kasem said. He said that the Hindu members are generally in favour of this amending Bill and from that he inferred that they are in favour of separate electorate with reservation of seats. Now, Sir, the Hindu community as a whole, so far as I know, have never asked for separate electorate either with reservation of seats or in any other form. They are always in favour of joint electorate without reservation of seats. They have fought over it and they have tried to introduce it in the Councils and in all local bodies. But there is a section of Muhammadans who have persistently demanded separate electorate with reservation of seats. It is admitted on all sides that joint electorate without reservation of seats is an ideal state of things and that separate electorate with reservation of seats is an evil which should be avoided as much as possible. There were thus two conflicting ideals before the country, (1) the joint electorate without reservation of seats, and (2) separate electorate with reservation of seats. Joint electorate with reservation of seats was accepted by way of a compromise between the Hindus and the Moslems when the Bengal Municipal Bill was being considered by the House and a provision to that effect was finally embodied in the new Bengal Municipal Act as well as in the Calcutta Municipal Act. I cannot understand how my Moslem friends can now say "let us examine the effects of the working of the Municipal Act and then there will be time for us to consider this question after we have experimented with the new measure for a few years". I think it has been admitted by Maulvi Abul Kasem that the question does not require much consideration, as it has been considered over and again and we know the pros and cons of it. It is only just and fair that what has been conceded to the Moslems by the Hindus should be conceded by the Moslems to the Hindus. If we do not do that, there would be serious ill-feeling between the two communities, and for the matter of that it is desirable that this amending Bill should be passed.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, nobody is more surprised than the humble sponsor of this measure that so much heat should have been introduced into this discussion. The point at issue is that the Bill should be circulated for eliciting public opinion. As was pointed out by Mr. Narendra Kumar Basu, the Bill was published sometime in November last. It appeared in the *Gazette* of the 24th of November, and it had been before the public for four months. No opinion was invited. But the public never objected to it. If Mr. Shanti Shekhareswar Ray wants to know if there was any demand,

my answer is "Yes". The demand was from the member of this House when clause 17 of the Bengal Municipal Bill was under discussion, and I do think that the members of this House represent public opinion adequately. Khan Bahadur Abdul Momin says that the members of this House do not represent public opinion. Well, that is an inferiority complex from which he suffers, and I hope his opinion is not shared by other members of the House.

The proposal is that the Bill be circulated for eliciting public opinion so that the public may have an opportunity of expressing their views on the merits of the Bill. But, whether there should be joint electorate or separate electorate, whether reservation or no reservation these questions have been before the public for the last several years and I think public opinion has fully crystallised on them, nothing would therefore be gained by circulating this Bill for eliciting public opinion. The House is committed to the principles; certainly it was when clause 17 of the Bengal Municipal Bill was accepted. (Question, question.) Similarly, when the House accepted the Calcutta Municipal Amendment Bill in the last session, the House accepted the same principle again. What is sauce for the gander is sauce for the goose. The Muhammadans are in minority in Calcutta, and it was considered proper that their interests should be safeguarded by reservation of seats. This Bill also provides for reservation of seats for the minority community on population basis. It does not lay down whether the minority is Hindu or Muhammadan; it has no caste. I am thankful to my friend the Nawab Sahib for reminding the House that the Hindus have a majority in Western Bengal, while the Muhammadans have a majority in Eastern Bengal. He stressed the point that the Hindus would also lose; that shows that the Ministry never considered this measure from the point of view of the Hindus alone. Well, this measure was considered from the point of view of the Hindus and Muhammadans alike. If the Hindus lose, they lose, if the Hindus gain, they gain. The Muhammadans are in majority in four out of five divisions in the province. Only in one, the Burdwan Division, they are in a minority. In all the other four divisions, they are definitely in the majority. I can give you figures that will show that they can hold their own against the other communities, so that they need not apprehend any danger from this Bill. The provision is sought to be introduced in the interest of any community which will be in minority in the rural area.

As regards the depressed classes, to which a reference has been made, the same principle will be followed as in connection with the Bengal Municipal Act, namely, if the scheduled castes are found to be in the minority, and if it is considered that their interests will not be adequately protected unless they are provided with special seats, certainly Government would make provision for their representation. But

generally, Hindus will be treated as one community and division and subdivision would be and should be avoided as much as possible. That is all I need say on this question.

I would request the House to approach this matter dispassionately and not from the point of view of Hindus or Muhammadans. The principle that minorities should be represented has been accepted. What is now proposed is to extend the same principle to the rural areas, I do not think there can be any objection to it, and I fail to appreciate the viewpoints that have been advanced by Mr. Tamizuddin Khan and Khan Bahadur M. A. Momin. I think I can take it that men of their light and leading are generous enough to provide safeguards for the protection of minorities irrespective of the fact whether they are Muhammadans or Hindus. I would appeal to my Muhammadan friends and to my friends on the other side that they should not grudge the minority communities the protection they deserve. With these words, I would oppose the motion.

The motion that the Bill further to amend the Bengal Local Self-Government Act of 1885 be circulated for the purpose of eliciting public opinion thereon before the 31st May, 1933, was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Syed Nausher.
Bahek, Maulvi Syed Majid.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Choudhury, Maulvi Nurul Absar.
Chowdhury, Haji Badi Ahmed.
Chowdhury, Maulvi Abdul Ghani.
Ezatji, Maulvi Nur Rahman Khan.
Fazlullah, Maulvi Muhammad.
Hakim, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hussain, Nawab Musharrut, Khan Bahadur.
Hussain, Maulvi Muhammad.
Karim, Maulvi Abdul.
Kasem, Maulvi Abul.
Khan, Maulvi Tamizuddin.
Momin, Khan Bahadur Muhammad Abdul.
Quasem, Maulvi Abul.
Rahman, Maulvi Aziznr.
Ray, Mr. Shanti Shekhareswar.
Rout, Babu Hosini.
Sulaiman, Maulvi Muhammad.
Suhrawardy, Mr. H. S.

NOES.

Ali, Maulvi Hassan.
Banerjee, Babu Jitendralal.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Blandy, Mr. E. N.
Bose, Mr. S. M.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Dr. Jogendra Chandra.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Dain, Mr. G. R.
Das, Rai Bahadur Kamini Kumar.
Das, Rai Bahadur Satyendra Kumar.
Dutt, Rai Bahadur Dr. Haridhan.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ganguli, Rai Bahadur Sushil Kumar.
Ghaznavi, the Hon'ble Alhaj Sir Abdulkarim.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. N.
Gupta, Mr. J. N.
Henderson, Mr. A. G. R.
Hooper, Mr. G. G.
Khan, Mr. Razzor Rahman.
Law, Mr. Surendra Nath.
Maguire, Mr. L. T.
Maitl, Mr. R.
McGlushie, Mr. E. T.
Mitter, the Hon'ble Sir Provash Chunder
Mitra, Babu Surat Chandra.
Mukhopadhaya, Rai Sahib Surat Chandra.
Mullick, Mr. Mukunda Behary.
Nag, Babu Suk Lal.
Nag, Reverend B. A.
Nandy, Maharaja Srie Chandra, of Kasimbazar.
Nazimuddin, the Hon'ble Mr. Khwaja.
Philpot, Mr. H. G. V.
Poddar, Mr. Ananda Mohan.

Poddar, Seth Hanuman Prasad.
Prentice, the Hon'ble Mr. W. D. R.
Rahoom, Mr. A.
Rai Bighanai, Manindra Deb.
Ray, Babu Khetter Mohan.
Ray, Babu Nagendra Narayan.
Ray Choudhury, Mr. K. S.
Reid, Mr. R. N.
Roy, Babu Narbanee.
Roy, Babu Nirendra Nath.
Roy, Mr. Saileswar Singh.
Roy, Mr. Sarat Kumar.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Roy Choudhuri, Babu Hem Chandra.
Samad, Maulvi Abdus.
Sarkar, Rai Sahib Sobati Mohan.
Sen, Mr. S. N.
Sen, Rai Bahadur Jogesh Chandra.
Sen, Rai Sahib Akshoy Kumar.
Sen Gupta, Mr. Naresh Chandra.
Singh, Brijraj Taj Bahadur.
Sinha, Raja Bahadur Bhupendra-Narayan, of Nashipur.
Stapleton, Mr. H. E.
Townend, Mr. H. P. V.
Whitlocke, Mr. H. R.
Woodhead, the Hon'ble Mr. J. A.
Wordsworth, Mr. W. S.

Ayes being 22 and Noes 66 the motion was lost.

The motion that the said Bill be taken into consideration was put and agreed to.

Clause 1.

Mr. PRESIDENT: The question is that clause 1 stand part of the Bill.

Mr. H. P. V. TOWNEND: I beg to move that in clause 1, in line 2, for the words, brackets and figures "(Second Amendment) Act, 1932" the following be substituted, namely:—"(Amendment) Act, 1933."

This is a purely drafting amendment and I must apologise to the House for not having seen that the Bill was put before them in the proper form. I am afraid I sent the Bill to the Legislative Department in a wrong form.

Khan Bahadur Maulvi AZIZUL HAQUE: May I oppose, Sir, at this stage the Bill itself?

Mr. PRESIDENT: Not unless it is with reference to clause 1, which is now under discussion.

Khan Bahadur Maulvi AZIZUL HAQUE: But, Sir, I want to oppose the Bill itself and I would like to have the earliest opportunity to make my position clear.

Mr. PRESIDENT: But we are now concerned with clause 1 only.

Khan Bahadur Maulvi AZIZUL HAQUE: Is it your ruling, Sir, that when clause 1 is under consideration it is not open to the House to discuss the Bill as a whole?

Mr. PRESIDENT: It was open to you to offer any criticism you like with regard to the Bill itself when the motion that the Bill be taken into consideration was before the House. But you did not avail yourself of that opportunity. We are now dealing with a particular clause and so your remarks must be confined to that clause.

Khan Bahadur Maulvi AZIZUL HAQUE: As a matter of fact we did not know that the consideration motion was under discussion.

Mr. PRESIDENT: Why? Both the motions were open to discussion.

Khan Bahadur Maulvi AZIZUL HAQUE: Is it open to us to discuss the whole Bill at the third reading?

Mr. PRESIDENT: Yes, at the stage when the Hon'ble Minister will move that the Bill, as settled in Council, be passed.

The motion of Mr. Townend was put and agreed to.

Then the motion that clause 1, as amended, and clause 2 stand part of the Bill was put and agreed to.

Clause 3.

Mr PRESIDENT: The question is that clause 3 stand part of the Bill.

Babu AMULYADHAN RAY: Sir, with your permission I beg to move only *Explanation* No. 3. So, my amendment will read—

"That in clause 3, the *Explanation* after proposed section 10A(2) be numbered as '*Explanation 1.*—' and after the *Explanation* as numbered, the following be added, namely:—

Explanation 3.—Minority community under this section shall include depressed classes or scheduled castes."

My point is this: Hon'ble members of this House who belong to the so-called upper castes should not think that I put the amendment to add the words "other than caste Hindus" after the words "minority community" not to deprive the caste Hindus of their legitimate share but to test their nationalism. Although pure joint electorate is supported in the press and in public platform they are demanding it with reservation of seats. The advocates of joint electorate are to-day advocating separate electorate. (Cries of "never, never".)

With regard to this amendment during the discussion of the Bengal Municipal Bill I moved an amendment to which the Hon'ble Minister

replied and the Hon'ble Minister then gave us a pledge that in municipalities where the depressed classes formed an important minority community they should be classified as a minority community and in municipalities where they do not form an important minority community the Hon'ble Minister said that their interests must be safeguarded by nomination. Now, throughout Bengal, in none of the municipalities has the Hon'ble Minister or the Government declared the depressed classes as a minority community. Therefore my intention is that it should be made clear that depressed classes should be regarded as a minority community. Our hon'ble friend Mr. N. K. Basu wanted to put the words "Hindu and Muhammadan" after the words "minority community" in connection with the Bengal Municipal Bill. At that stage I wanted to put the words "depressed classes." Then Mr. B. C. Chatterjee appealed to Mr. N. K. Basu to withdraw his amendment on the ground that if he moved that certain difficulties would arise and at the request of Mr. B. C. Chatterjee, Mr. N. K. Basu later on withdrew his amendment, and therefore I did not move my amendment. As the definite pledge given by the Hon'ble Minister during the discussion of the Bengal Municipal Bill (question, question) (it will be found in the Council proceedings, dated between the 8th and 12th August) has not as yet been given effect to, it should be made clear that the words "minority community" shall include depressed classes. With this object I have moved this motion.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I must confess that my memory is not quite so sharp as that of my hon'ble friend Babu Amulyadhan Ray and I cannot carry everything in my brain He referred to certain understandings or pledges which were given to his community during the discussion of the Bengal Municipal Act. This much I can say that if there was any understanding or pledge, Government sticks to that (a VOICE: It is in the Council proceedings) and it is not their intention that the depressed classes should be purposely deprived of the privileges to which they might be entitled under the provisions of the Act. The same principle will be followed in regard to the Local Self-Government Act if it is amended on the lines of the Bill now before the House. The position so far as I remember was that if any depressed class formed an important minority community and if the interest of that minority community could not be represented through general seats, arrangements should be made for reservation of seats or for nomination—I speak subject to correction—and Government stick to that. So my friend need not apprehend that Government would purposely avoid extending this privilege to the members of his community; they have never done so. In connection with the elections of municipalities, which will take place in the course of this month, nowhere did Government find the depressed classes to be important minorities. Naturally seats cannot be reserved

for them. Mr. Ray came to me and I asked him to give me figures of the depressed classes, but he never gave me the figures. I can however say this that if the district officers report that seats should be reserved for the depressed classes, because they form an important minority in any particular unit, Government would take steps to see that that community is properly represented. With this assurance I would request the hon'ble mover to withdraw his motion.

The motion of Mr. Amulyadhan Ray was then, by leave of the Council, withdrawn.

Rai Bahadur SATYENDRA KUMAR DAS: Sir, my friend Babu Satish Chandra Ray Chowdhury is unavoidably absent and I have his permission to move the motion standing in his name.

Mr. PRESIDENT: You can move that as your own motion.

Rai Bahadur SATYENDRA KUMAR DAS: As motion No. 26 has been withdrawn, I beg to withdraw this motion.

The following motion was then, by leave of the Council, withdrawn:—

"That in clause 3 after the *Explanation* to proposed section 10A (2) the following be added, namely:—

Provided that the Hindus of all castes shall be treated as one community."

Mr. PRESIDENT: The question is that clauses 3 and 4 stand part of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: The question is that the preamble stand part of the Bill.

The motion was put and agreed to.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to move that the Bill, as settled in Council, be passed.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I must at this stage make our position absolutely clear. It is quite true that in certain local self-governing bodies we accepted the principle of joint electorate.

Sir, I would ask two definite questions of my hon'ble friend—whether or not it is a fact that in the Bengal Municipal Act the power of nomination of 33 per cent. of the total number of seats has been done

away with and that in its place Government will only nominate 25 per cent.? Secondly, is it not a fact that under the Local Self-Government Act as it stands to-day, there are double nominations—one nomination in the local board and the second nomination in the district board in each of which Government retains power for one-third nomination, in both cases nominations to the extent of 33 per cent.? If that be so, it is perhaps known to the Hon'ble Minister—and no doubt he felt it in his non-official days—how much manipulations are made in this power of nomination with a view to defeat the claims of one class of people or the other. This is what we are afraid of. If my hon'ble friend had come in with a larger electoral element in the Local Self-Government Bill and then come forward with this division of seats, the position would have been different. But he retains the power of one-third nomination in the local board as well as in the district board; and still he wants that so far as the rest of the two-thirds are concerned, they should be divided on communal basis; that is where my first protest comes in.

Sir, nomination is evil enough and nobody has been crying harder against it than my friends belonging to the other community. We do not relish it and we would do away with it if we could. I must make it absolutely clear that so long as the system of nomination remains there is power in the hands of the authorities to do what they like. If the authorities in a district desire to change the tone of the district board or local board, they can do it easily. That being so, I think it is hardly just for the Hon'ble Minister to bring in a Bill of this nature at this stage. We demand that public opinion should be elicited on this Bill. Where is that public opinion, except the casual opinion of some one having a few followers? But where is the sanction of the public? On the other hand, there has been a demand that the whole Act should be revised as early as possible. We have heard repeatedly that no Bill of a controversial nature should be dealt with in such a summary manner. I take my stand on the logical results of several things that we have done in the past. Does my friend realise how many muddles have been created in the past by such hasty actions? Is it not a fact that you have passed the Municipal Act under which a successful candidate will have to forfeit his deposit?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: On a point of personal explanation, Sir. The Bill was passed by the House and not by me.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, this is the first time that I hear this, although the Hon'ble Minister likes to be considered as the father of the Bill and he is now trying to shift the responsibility on the House. In any case, does not my friend remember that those who were in favour of——

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: May I rise to a point of order? Can the member discuss the Municipal Act here?

Khan Bahadur Maulvi AZIZUL HAQUE: I submit, Sir, I can do this, because the measure now before the House is a logical sequence of that Act; that is why I say that it is not desirable to rush in with the Bill in this manner. It should have been possible for the Hon'ble Minister to come up with definite data instead of rushing with the Bill in this way and leaving the Secretariat to work out as best as it can the details.

Difficulties are already being experienced in connection with the Bengal Municipal Act. Suppose in an election a seat is to be reserved for a minority community: now, there are two ways of doing it—one is by dividing a particular ward into a reserved or unreserved ward. The other is, as they are doing it in another place, by taking the whole municipality as a block. I ask—why this differentiation? Is it according to the demand of the country or is it because the District Magistrate desires the election to be conducted in a certain manner? I personally would have been glad to have it for my district as, so far as it is concerned, possibly we might be gainer. But that is not the point. The point is that in spite of the fact that it is possible for us to gain a few seats you will arrange the unions or thanas in such a manner as would make the position very inconvenient for us. We have absolutely no opportunity to rectify it: that is the difficulty. If the Hon'ble Minister had come forward with a definite and concrete proposal that this is how the scheme will work out, I would have been certainly prepared to vote with him. But in the absence of any such definite proposal, we cannot agree to give a large charter to the district officers or to the Secretariat with a view to managing the elections in whatever manner they like.

Then, Sir, there is another difficulty. We have heard of late that the Muhammadan community have the right to take part in elections for reserved seat as well as in general elections. But I may say that the rules in this connection are so framed as would make this impossible. Take for example the municipality of Krishnagar. Here one ward is divided into two seats of which one is reserved. Now, there is no rule by which a Muhammadan can stand for a reserved seat. He must stand for a seat in the general election. If there is only one seat to contest, no Muhammadan can get an opportunity to contest a non-reserved seat. Under the rules as framed if a Muhammadan wants a reserved seat he will not be able to get it till he comes first to the reserved seat and then to the general seat. This is not what is intended. The intention originally was that the Muhammadan community would have the right to contest both for reserved or unreserved

seats; but under the rules this cannot be done. I may be mistaken in my interpretation of the rules; but the difficulties are there—not in the case of one solitary district but in the case of several districts.

Besides, Sir, the hands of the Local Self-Government Department are so that it will be a folly to saddle it with a measure like this and I am surprised to find that the Hon'ble Minister is rushing with the measure at a time when summer has already set in and the Government would be away in Darjeeling in a very short time. There will not be any opportunity for the outside public to get into touch with the officials for about two months, if there be any need. Fancy the idea of passing a legislation like this in such a hurry and then go and stay in the hills for two months, where the people will have no opportunity to approach Government in case of any difficulty arising. I feel that a measure of this nature should not be passed in such a hurry. We are not opposing the Bill itself but we do object to the manner in which it is being rushed. I am quite prepared to consider the Bill if it is taken up in July or August session now that we know that there will be a session in July.

Sir, I know that sometimes statements of distinguished Muhammadans are quoted in order to twist them to suit one's purpose. But I submit that we in this House have the right to discuss any matter we like in spite of the casual bursting of a particular member.

Maulvi SYED NAUSHER ALI: Sir, I oppose the motion on grounds somewhat different from those urged by the previous speaker. Perhaps it is known to many of my friends that I am a supporter of joint electorate through and through and I have been a supporter of joint electorate for years past and my belief in joint electorate has been confirmed by experience here and elsewhere. Therefore I think it will be absolutely wrong on the part of this House to pass this measure and to take such a retrograde step. I am told that during the passing of the Bengal Municipal Bill some assurance was given by this side of the House that privileges similar to those given to the minorities in municipal areas would be given in the case of the other units also. So far as that is concerned, I am absolutely ignorant, and I dissociate myself entirely from any such assurance from any person however high he may be. Sir, the next thing that I want to impress upon the House is that this matter of the constitution of the Local Self-Government Act was attempted to be discussed at a conference of the chairmen of district boards held in Darjeeling, presided over by the Hon'ble Nawab Faroqui. At that conference we tried our best to make an attempt to discuss and give our opinion but we were not allowed to do so. I wanted to express the opinion that there was no necessity at that time, in view of the impending constitutional changes, to make any change. If any change was necessary, it was open to the House

after the introduction of the Reforms to make any change that the House might think necessary.

Mr. NARENDRA KUMAR BASU: When was the conference held?

Maulvi SYED NAUSHER ALI: I think some years back. I do not recollect the exact date.

Mr. PRESIDENT: Mr. Nausher Ali, you are not to pick up words that are cast at you.

Maulvi SYED NAUSHER ALI: Sir, as I was absent for a long time I have forgotten the procedure. The other point which I want to bring forward before the House for consideration is that during the passage of the Local Self-Government (Amendment) Bill, we, the members of the House, were not allowed any opportunity of discussing these constitutional principles. I sent in a number of amendments and every one of those amendments was disallowed on the ground that it was not within the purview of the amending Bill. Now, all on a sudden a particular clause is proposed to be amended to-day and it is absolutely unfair to deprive us of the opportunity, when this and other clauses were amended, of ensuring fairness to all concerned.

Sir, I say this with a full knowledge of the actual state of things now prevailing in this province and the mentality of the people. I have already made my position quite clear that I am in support of joint electorates without any reservation of seats whatsoever. If it is said that it is necessary for the purpose of safeguarding the interests of different communities, I am surprised at the attitude of my friends opposite who have come forward to support this proposal in a body with all the emphasis at their command. This shows definitely that they support the opinion of my community. I mean those who support joint electorate with a reservation of seats I do not for a moment suggest that there is no necessity whatever for the introduction of separate electorates or for the matter of that joint electorates without any reservation of seats. But, Sir, if it is at all necessary for the purpose of safeguarding the interests of any particular community, it ought to have been done when the amending Bill was brought forward before the House. I may say this, and it is my experience and information that, it is only the town people who are more or less communal in their outlook who support this measure. If you go to the *mufassal* you will see that the people there with common interests live in amity and they will not support such a measure which proposes only to safeguard the interests of the Hindus or of the Moslems. Of course the experience of my Hindu friends on the district boards is different, and

I do not want to quarrel with them. I, for myself, am inclined to think that this very measure will be more injurious to the interests of the other side—that is at any rate my opinion. It is not that in view of the loss or gain to the Hindus or the Moslems that I am going to oppose this motion. As I have already stated, on the general principle that while we have had enough of this communal electorate, it is no longer necessary nor wise to introduce the same system in a body where there is none. These elections have been held for over 40 years in the local self-governing areas and there has been no trouble so far as the local self-governing areas are concerned.

Two points have been touched upon by my friend, Khan Bahadur Maulvi Azizul Haque, namely, first in regard to the one-third nomination—is it not fair that so far as the matter is concerned, we (I mean Hindus or Moslems) ought to be given an opportunity of expressing our opinion? I want to say with all the emphasis that I can command, abolish all nominations whatsoever—this is what I want. In these days of democracy if we can govern Bengal without nominations, I think we can govern the district boards, municipalities and local bodies without any nomination whatsoever. I must say, Sir, nominations are most unsuitable as we know what manipulations have been done in this matter. I am prepared to face the elections and hope to return cent per cent. of my members. I want that there should be as little room for interference by the executive as possible in the working of a self-governing institution. Therefore, Sir, if you thought it desirable to reduce the nominated element to one-fourth in the case of municipalities, why not reduce the element in the case of the self-governing bodies? Abolish it altogether, or if you keep it at all, keep it as small as possible. It should be under any circumstances less than one-fourth. I want an assurance from the Hon'ble Minister to say definitely whether it would not be fair by bringing forward another amending Bill next session to abolish nominations altogether so far as the local boards are concerned. It is painful for me to say from the saddest experience I have got that in the case of the local bodies I secured 66 out of the 73 seats in the district board elections——

Babu JITENDRALAL BANNERJEE: Sir, is what happened in the Jessore elections relevant to this debate?

Maulvi SYED NAUSHER ALI: Sir, I submit that it is absolutely relevant because I am speaking on the amendment of the Local Self-Government Act itself.

Mr. PRESIDENT: You appear to be very much carried away by your arguments. You should keep to your point.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, is it fair on the part of Mr. Bannerjee to interject when he himself brought up this matter?

Babu JITENDRALAL BANNERJEE: Sir, it was not an interjection but it was a point of order. The Khan Bahadur should learn his grammar first.

Mr. PRESIDENT: Order, order.

Maulvi SYED NAUSHER ALI: Sir, I am not well-versed in grammar nor do I know the distinction between interjection and conjunction. Therefore I shall abide by your ruling and I will confine myself strictly to my point. What I want, Sir, is that the same principle that has been followed in the case of the Bengal Municipal Act should be followed in the case of the Local Self-Government Act. I would only request that the same principle of reducing the nominations should also be introduced at the earliest possible opportunity in view of the fact that we have been deprived of that opportunity in this Bill as well as in the past one. I would also show you, Sir, how it materially affects the elections. There are concrete instances and I might cite one. Suppose there are five subdivisions in a district. Now, the local boards in the four subdivisions are entitled to send up 14 members and one subdivision is entitled to send up six members. Now, one party may have secured cent. per cent. of the elected seats in the four subdivisions and they also get a majority in the fifth subdivision; but by nomination this majority is reduced. What is the effect? The local boards are mere electorates for the district boards. Fourteen members of the party which has the entire district board behind it will be returned cent. per cent. and it secures a majority of the six seats of the other subdivision. Add to this 30, 10 seats by nominations and you thereby reduce the majority party that has got the largest number of seats by elections to a minority. There will be 16 as against 14 and this is the danger of keeping one-third nominations. I do not see any reason why there should be any room for nominations whatsoever so far as the local bodies are concerned. It is well known to the Hon'ble Minister what part the local bodies play in the administration of the Local Self-Government Act. Practically they have no functions to perform. The late Sir Surendra Nath Banerjea described them as the fifth wheel to the coach. The sooner they are abolished the better. I would welcome this measure if the local boards were abolished altogether keeping even this one-third nomination for direct election to the district boards, so that you may not have any chance of reducing the majority to a minority. Therefore, Sir, with all the emphasis that I can command I would request the Hon'ble Minister to make a statement to this House that he would

introduce at the earliest possible opportunity a legislation abolishing the local boards altogether——

Mr. PRESIDENT: Order, order. You have already advanced that argument. I do not think that you need repeat that.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, you have perhaps misunderstood him——

Mr. PRESIDENT: Order, order. The Khan Bahadur may sit quiet. I would ask the Maulvi Sahib not to repeat the argument that he has already advanced.

Maulvi SYED NAUSHER ALI: I am not repeating my argument——

Mr. PRESIDENT: I have heard you to repeat it several times. The value of an argument is never enhanced by repetition.

Maulvi SYED NAUSHER ALI: Sir, I quite see that. I am an advocate and I know that.

Mr. PRESIDENT: Order, order. Are you addressing the House as an advocate or as a member of this House?

Maulvi SYED NAUSHER ALI: As a member of the House, Sir, I am advocating a public cause. I do not wish to repeat my argument. It will not be possible for me to support this motion unless the Hon'ble Minister is pleased to give us an assurance that by introducing another Bill he would either reduce the number of nominations to district boards or abolish it altogether.

Mr. NARENDRA KUMAR BASU: I rise to support the proposal of the Hon'ble Minister. We have heard two speeches in opposition, but in my submission both the speeches that we have listened to do not add anything to the consideration of the question whether the Bill, as settled, should be passed or not. As for my friend Khan Bahadur Azizul Haque, he has stated that he could only agree to the provisions of such a Bill if detailed lists had been made out previously and shown to him and he would find out whether it was to his interest to support the Bill or not. As for the other speaker, the Chairman of the Jessore District Board has spoken with a great deal of emphasis, froth and fury giving pros and cons several times repeated, but I am afraid what he has stated comes to this: "In the present circumstances I am exercising an undisputed sway over the Jessore District Board; please for

Heaven's sake do not take that away." My submission is that when the Bengal Municipal Act and the Calcutta Municipal Act have been amended for the purpose of taking away the undisputed sway of communities, there is no reason why the undisputed sway of an individual should be respected in this House and the gross piece of injustice to the minority community not removed. I submit that the whole point regarding the necessity of this Bill and why it should be passed by this House was fully threshed out in the debate on Mr. Tamizuddin Khan's amendment, and we have heard nothing since then as to why this Bill, as settled in this House, should not be passed, except that it is pinching somebody's foot.

Mr. H. S. SUHRAWARDY: I am sorry that I find myself in disagreement after several days with the Hon'ble Mr. Singh Roy, and I wish to support Maulvi Nausher Ali because I do believe that he is one of the few on the floor of this House who is intimately conversant with rural affairs, with elections to the district board, and with how local boards and district boards are run. I am sorry Mr. Nausher Ali is not in a position, having spoken once already, to reply to the remarks of Mr. Narendra Kumar Basu. I feel perfectly certain that Mr. Nausher Ali did not oppose the Bill because his undisputed sway, the undisputed sway of an individual as such, was being challenged. I think he objected to it because he stands not as an individual, but as a representative not only of the Moslems of Jessore, but also of the Hindus who predominate in Jessore, namely, the depressed classes. I also have no doubt that even under this new system of joint electorate with reservation of seats, Mr. Nausher Ali will be able to introduce his nominee or supporters into the district boards without any difficulty. But what he has stated before the House was not his own difficulty in the matter, but that the difficulties that he has experienced are likely to be repeated in other places as well. The question that he has raised with regard to nomination requires the very serious consideration of the Hon'ble Minister. My position with regard to it is this: that a small clause has been taken up and is going to be amended. As we have pointed out this clause by itself constitutes an injustice. What I wish to say is simply this: we shall not be able to support this Bill unless the Hon'ble Minister makes certain pronouncements to the effect that the other clauses of the Bill that we ask him to amend will also be amended by him. With regard to nominations, after all nominations were introduced for the purpose of rectifying communal inequalities, because without that this reservation of seats has no meaning at all. I am referring not only to this, but to any other Bill which may be introduced at any subsequent stage. Without doing away with nomination, this Bill is going to work an injustice, and surely I am entitled to point out why this Bill should be thrown out. Nominations were introduced for the purpose of rectifying communal inequalities. When you reserve seats with joint electorates

that means that you have introduced a change, for the purpose of rectifying communal inequalities, and you have no further necessity for nomination. Therefore, unless these nominations are removed joint electorates with reservation of seats ought not to be introduced. The Hon'ble Minister has said that there was a demand for the amendment he has introduced on the floor of this House. I am sorry to say that stray remarks made in the heat of enthusiasm by speakers who are apt to be carried away by their emotions—I think the House realises the particular speaker whom I have in my mind—ought not to be taken as a public demand, or a demand of the Moslem group or of any other section of this House. As a matter of fact, the Hon'ble Minister must be aware that after the statement of Mr. Fazl-ul Huq to the effect that he would support joint electorate with reservation of seats on district and local boards, every member of this group took him to task for making it without consulting the other members of the Moslem group. I think the Hon'ble Minister must be aware of that, and therefore it is not quite right for him to state that there was a demand for this measure because of the utterance of an individual member. Moreover, before we embark on such an experiment, the system of reservation of seats in urban areas with joint electorate ought to be given a chance. I shall give an illustration of the difficulties. I have in mind a certain ward in the Municipality of Howrah where the Moslems are in large numbers and could return their own nominee. Now, what has been done there is that other wards have been attached to that ward, with the result that at the present moment, the number of Hindu voters is 90 per cent. and the Moslem voters 10 per cent. Consequently the Moslem votes can exercise no influence. If reservation of seats is manipulated in this manner, then the influence which one community possesses in a particular ward is destroyed by its amalgamation with other wards. This is certainly not going to be in the best interests of proper representation, and it should be a warning to the Hon'ble Minister and to the whole House, as well as to the Moslems as a whole, that so far as Moslem interests are concerned it can only be protected by separate electorate without any deflection.

In Calcutta, at the present moment this system of joint electorates with reservation of seats is being tried, and I can assure the House it is creating an enormous amount of trouble. Muslims are putting forward certain people as their representatives and they are not being accepted by the Hindus. This has already created a certain amount of heat and communal feeling which never existed in the Calcutta elections. The Hon'ble Minister ought to be warned by this, not to introduce this system in rural areas which, as has been stated by Maulvi Nausher Ali, is really concerned more with class interests rather than with communal interests. There is no necessity for arousing communal interests in the rural areas. It is for this reason that I am opposing the introduction of

this Bill, and I do hope that the Hon'ble Minister at this late stage might concede to the almost unanimous opinion of this group the consideration which it most certainly deserves, and withdraw the Bill.

Babu JITENDRALAL BANNERJEE: I shall not take more than two minutes of the Council's time. The other side were very much in need of arguments and they must be very thankful to Mr. Azizul Haque for supplying new arguments, or at any rate something to run after in full cry. His argument is in respect of the question of nomination—joint electorate with reservation has no terrors for him, but joint electorate coupled with nomination he cannot face, and he has pleaded to-day for the abolition of nomination altogether.

Khan Bahadur Maulvi AZIZUL HAQUE: I never said abolish it altogether. I said either have direct election, or reduce it to the municipal level.

Babu JITENDRALAL BANNERJEE: Well, then, let us have it in that way. Abolition was advocated by Maulvi Nausher Ali and reduction by Khan Bahadur Maulvi Azizul Haque. The question of nomination is nothing new in this House. When the Bengal Municipal Act was being discussed, the question of abolishing nominations altogether was raised by the late Mr. Satyendra Nath Roy, and it was supported—you will see from page 235 of the proceedings—by three humble prsons—myself, Dr. Naresh Chandra Sen Gupta and Mr. Narendra Kumar Basu. All the members of this group supported the idea of abolition and the opposition came from Mr. Azizul Haque and Mr. Nausher Ali.

Maulvi SYED NAUSHER ALI: On a point of personal explanation—

Mr. PRESIDENT: You cannot rise in your seat unless the member in possession of the House gives way.

Maulvi SYED NAUSHER ALI: On a point of order, Sir, is it fair for a member to cast reflections on other members?

Mr. PRESIDENT: I did not find anything grossly personal in what Mr. Bannerjee said.

Babu JITENDRALAL BANNERJEE: I shall justify all that I have said. Maulvi Nausher Ali has come and said to-day, with an emphasis and eloquence such as I can never command, that he is a stout and zealous champion of joint electorates pure and simple—joint electorates and no reservation of seats. Joint electorate is a principle by

which he is prepared to stand or fall. This question also, like the question of nomination, does not come up to-day for the first time in this House; it has been discussed at least twice within the lifetime of this House. The first time it was on the motion of Maulvi Abdus Samad, as regards elections to the Council. That debate lasted for two days and evoked a considerable amount of excitement and interest; but during all this time Maulvi Nausher Ali was conveniently absent. Once again the question of joint electorates came up in connection with the Bengal Municipal Act, and once again Maulvi Nausher Ali was conspicuously absent. He had two opportunities of avoiding and vindicating his principles, and on both occasions he was conveniently absent; he cannot claim any privilege now. As for Khan Bahadur Maulvi Azizul Haque, he is angry with the Minister for not introducing a measure for abolishing or curtailing the proportion of nominations. But Khan Bahadur Azizul Haque is not an amateur in the act of legislation. He could easily have introduced a Bill on the subject either in his own person or through his supporters. Then why should he complain against the Minister? The Minister has no monopoly in this matter; everybody has the same right as regards the introduction of a legislative measure. Mr. H. S. Suhrawardy, with that perverse ingenuity for which he has acquired a name in this House, came and said to-day that they, meaning the Moslem group, were not to be tied down to the emotional outburst of a particular speaker. He said further that Mr. Fazl-ul Huq's remarks left them aghast. But when Mr. Fazl-ul Huq made his offer, he did not do it in any hole-and-corner fashion; he did so publicly, in the presence of Khan Bahadur Azizul Haque, in the presence of Khan Bahadur Maulvi Abdul Momin and in the presence of Mr. H. S. Suhrawardy. If they were aghast, they might easily have given expression to their feelings of astonishment; they are not tyros in the art of public speaking. But they did nothing of the sort by their silence and acquiescence, they—all of them—have led us indirectly to believe that they were at one with Mr. Fazl-ul Huq in his generous and liberal offer. Had he been present here to-day, they would not have the courage or the ill grace to recant as they have done to-day. Their action to-day—I do not wish to animadvert on it too strongly—is something of which history in future will take note. It will take note that it is possible for some hon'ble members of this House to turn and turn about, to vote to-day this way and to-morrow the other way, to express generous sentiments one day for the purpose of gaining a temporary advantage and disavow the same sentiments the next day when it no longer suits their purpose.

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of personal explanation. My friend has thoroughly misquoted me. In spite of the fact that his history is very well known as well as mine, in spite of his convenient absence on other occasions he should have done me the favour of quoting my full speech before he referred to me. I

made no statement which is contradictory and if my friend avoids a communal brain and sticks to his eloquence and common sense——

Mr. PRESIDENT: Order, order.

Mr. NARENDRA KUMAR BASU: Does personal explanation include personal abuses also even by a Khan Bahadur?

Mr. PRESIDENT: I think the Khan Bahadur had gone beyond his limits.

Khan Bahadur Maulvi AZIZUL HAQUE: I must say that if I have done so it is because of the unfairness of some of my friends not to hand over the book to me but to some others.

Mr. PRESIDENT: Order, order.

Mr. H. S. SUHRAWARDY: I have never been in favour of joint electorate with or without reservation of seats.

Mr. PRESIDENT: Order, order. I must tell the members on this side of the House that I must emphatically discourage any attempt on their part to make themselves heard in some indirect fashion. I must stop any attempt on their part to force something upon me or upon the House. There should be no unseemly anxiety on their part to make themselves heard in season and out of season.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Khan Bahadur Maulvi Azizul Haque has opposed my motion on two grounds. The first ground is that he thinks that so long as the proportion of nominations in the district boards remains as it is, this Bill should not be accepted by the House, because there is every possibility, according to him, of the Muhammadan community being injuriously affected through nominations. Sir, I am as much acquainted with the working and constitution of district boards in this province as my friend, the Khan Bahadur, in spite of his long experience as chairman of a district board. (Khan Bahadur AZIZUL HAQUE: But you are not going to be permanently settled where you are.) Certainly not; I do not claim permanent settlement nor do I hope that I shall have it.

Sir, Government follow certain definite principles in making nominations which are given on the basis of population *plus*, I think, the voting strength of a community; they are not given to one community or the other merely for the sake of pleasing them. As I have said, Sir, definite principles are followed in making nominations and I hope to follow the same principles strictly so long as I am in office; of course I cannot offer any assurance on behalf of my successors. Khan

Bahadur Azizul Haque, Maulvi Nausher Ali and others have urged that Government should bring in a Bill to amend the Local Self-Government Act to reduce the proportion of nomination, because it might injuriously affect the minority community, meaning of course the Moslem community in this case. As a matter of fact, however, the Muhammadans are not a minority community in rural areas. Not only are they a majority community as regards population but their voting strength also is much larger. The voting strength of the Muhammadans is 37 lakhs, whereas that of the Hindus is 28 lakhs. If they are in a minority in a particular district and cannot secure the adequate number of seats to which they are entitled, through election, the proportion is attempted to be made up by nomination. That is the principle which Government follow and Khan Bahadur Abdul Momin, as an *ex*-Divisional Commissioner must be perfectly acquainted with these facts and I do not think he will deny this. It has been brought up to-day for the first time that the local boards should be abolished and the proportion of nomination should be reduced. Speaking personally, and not as a member of Government, I have no faith in local boards but Government have no Bill ready to amend the Local Self-Government Act over again at present but when they would undertake a comprehensive amendment of that Act, certainly they would go into this question very carefully and they might then be inclined to reduce the proportion of nomination on the same lines as was done in the Bengal Municipal Act.

Khan Bahadur Azizul Haque also referred to certain mistakes—mistakes, according to him, of course—in the rules made in connection with the Bengal Municipal Act and the difficulty of reservation of seats and the iniquities that had occurred because of them. I may tell him that in spite of those iniquities, in spite of those difficulties, there were importunate requests from members of his community from different municipalities for reservation of seats and Government had to reserve seats for them at their request, seats which, of course, they were entitled to, and his community had fully welcomed the decision. Mr. Nausher Ali stated that the conference at Darjeeling on October, 1930, ruled out amendments on constitutional points with regard to the Local Self-Government Bill; so it is not fair that Government should bring forward a Bill like this to amend a particular section. It is so, and as I said at the beginning it was never their intention to bring in this Bill. But Government have initiated this legislation only at the request of members of this House. Members belonging to different groups requested Government that a similar provision should be introduced in the Local Self-Government Act as in the Bengal Municipal Act, and we have simply acceded to that request. So I hope that the Moslem group would be satisfied with my explanation and change their attitude and not try to oppose the Bill but accept it with a good grace.

Khan Bahadur Maulvi AZIZUL HAQUE: Will it not be convenient to put the final motion to the vote after the prayer adjournment, Sir, because a great many of the Muhammadan members have gone to prayer, and because I expect a division will be called?

Mr. PRESIDENT: Would you like me to postpone putting the final motion till we reassemble after prayers? Are your objections really vital?

Khan Bahadur Maulvi AZIZUL HAQUE: We do not expect to carry the division but we will then have more Muhammadan members in the Chamber.

Mr. PRESIDENT: All right, I then adjourn the Council for 15 minutes. But before I adjourn, I must say that it is my painful duty to observe that some attempts were made from your side of the House to rise and make speeches under the pretext of making a personal explanation. I must discourage that practice.

Khan Bahadur Maulvi AZIZUL HAQUE: May we know, Sir, what you mean?

Mr. PRESIDENT: I mean to say that members from your side have risen to speak on personal explanation or points of order without having any material grievance or without being able to make out their points of order.

Khan Bahadur Maulvi AZIZUL HAQUE: But, Sir, that is not confined to members on this side of the House only!

Mr. PRESIDENT: I was simply referring to the fact that some members were developing that habit, which is not desirable in the interest of the House.

The Council was then adjourned for 15 minutes for prayer.

(The Council reassembled after adjournment with Mr. Deputy President in the Chair.)

The Hon'ble Minister's motion was then put and a division taken with the following results:—

AYES.

Ali, Maulvi Hassan.
Armstrong, Mr. W. L.
Bai, Babu Lalit Kumar.
Bai, Rai Sahib Sarat Chandra.
Banerjee, Babu Jitendralal
Barma, Rai Sahib Panchanan.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Bhaudy, Mr. E. H.
Bose, Mr. S. M.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Dr. Jogendra Chandra.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.

Cooper, Mr. G. G.
Dale, Mr. G. H.
Das, Rai Bahadur Kamini Kumar.
Das, Rai Bahadur Satyendra Kumar.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ganguli, Rai Bahadur Sasi Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdulkarim.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. N.
Henderson, Mr. A. G. R.
Hooper, Mr. G. G.
Law, Mr. Surendra Nath.
Lockhart, Mr. A. R. K.
Miller, the Hon'ble Sir Provash Chunder.
Mittra, Babu Sarat Chandra.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Mullick, Mr. Mahanda Behary.
Nag, Reverend R. A.
Nandy, Maharaja Srie Chandra, of Kasimbazar.
Nazimuddin, the Hon'ble Mr. Khwaja.
Philpot, Mr. H. G. V.
Poddar, Mr. Ananda Mohan.
Poddar, Seth Hanuman Prasad.
Prentice, the Hon'ble Mr. W. D. R.
Raheem, Mr. A.
Rai Mahasai, Manindra Deb.
Ray, Babu Amulyadhan.
Ray, Babu Khetter Mohan.
Ray, Babu Nagendra Narayan.
Reid, Mr. R. N.
Roy, Babu Narhamu.
Roy, Babu Jitendra Nath.
Roy, Mr. Saileswar Singh.
Roy, Mr. Sarat Kumar.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Roy Choudhuri, Babu Nem Chandra.
Samad, Maulvi Abdus.
Sarkar, Rai Sahib Rabati Mohan.
Sen, Mr. R. R.
Sen, Rai Bahadur Jogesh Chandra.
Sen, Rai Sahib Akshoy Kumar.
Singh, Srijut Taj Bahadur.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Tawneed, Mr. H. P. V.
Wilkinson, Mr. H. R.
Woodhead, the Hon'ble Mr. J. A.
Wordsworth, Mr. W. C.

NOES.

Ali, Maulvi Syed Nausher.
Banerji, Mr. P.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Choudhury, Maulvi Nurul Abdar.
Chowdhury, Haji Badi Ahmed.
Chowdhury, Maulvi Abdul Ghani.
Faziullah, Maulvi Mohammad.
Hakim, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hussain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Muhammad.
Kasem, Maulvi Abul.
Khan, Maulvi Tamizuddin.
Momin, Khan Bahadur Muhammad Abdul.
Qassem, Maulvi Abul.
Rahman, Maulvi Azizur.
Ray, Mr. Shanti Shekhareswar.
Rout, Babu Nagendra.
Suhrawardy, Mr. H. S.

The Ayes being 63 and the Noes 19, the motion was carried.

The Bengal Patni Taluks Regulation (Amendment) Bill, 1932.

The Hon'ble Sir PROVASH CHUNDER MITTER: I beg to present the Report of the Select Committee on the Bengal Patni Taluks Regulation (Amendment) Bill, 1932.

I beg to move that the Bill, as reported by the Select Committee, be taken into consideration.

The motion was put and agreed to.

Clauses 1 and 2.

Mr. DEPUTY PRESIDENT: The question is that clauses 1 and 2 stand part of the Bill.

The motion was put and agreed

Clause 3.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, with your leave may I move motion No. 45 before motions Nos. 41 and 42 are moved? I think the respective movers of these amendments are agreeable to this.

Mr. DEPUTY PRESIDENT: Yes, you can do that

The Hon'ble Sir PROVASH CHUNDER MITTER: I beg to move that in clause 3 in proposed section 14A clauses *Sixth* and *Eighth* be omitted, and the following clause be added after clause *Seventh*:—

"*Seventh* (*a*). Notwithstanding anything contained in this section, the *zamindar* may, at any time after the sale-proceeds have been deposited under section 9, if such sale-proceeds are still in deposit and the sale has not been set aside, withdraw therefrom an amount equal to the amount on account of which the sale was made or the whole amount of the sale-proceeds less the one *per cent.* due to Government, whichever is less, and if the sale is thereafter set aside by the Collector or the Civil Court under this section an amount equal to the amount so withdrawn by the *zamindar* shall be paid out of the deposit made by the applicant under sub-clause (*b*) of the *First* clause of this section to the auction purchaser instead of to the *zamindar*".

Sir, the position shortly is this. In the Select Committee "*eighth*" in clause 3 in the proposed section 14A was introduced by a majority. So far as it goes, it is a provision in favour of the landlords. As a result of discussion I have been able to induce representatives of the *zamindars* and the *patnidars* to agree to the amendment which I have just moved. I would ask the House to accept it because apart from anything else "eighth" as it stands will give rise to practical difficulties and may affect the 1 per cent., due to Government. I therefore commend my amendment to the House.

The motion was put and agreed.

Mr. DEPUTY PRESIDENT: The question is that clause 3, as amended, stand part of the Bill.

The motion was put and agreed to.

Mr. DEPUTY PRESIDENT: The question is that clause 4 stand part of the Bill.

The motion was put and agreed to.

Mr. DEPUTY PRESIDENT: The question is that the preamble stand part of the Bill.

The motion was put and agreed to.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I beg to move that the Bill, as settled in Council, be passed.

The motion was put and agreed to.

The Howrah Municipal (Temporary Provisions) Bill, 1933.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to introduce a Bill to provide for certain matters in connection with the extension of certain provisions of the Calcutta Municipal Act, 1923, to the Municipality of Howrah.

The Secretary read the short title of the Bill.

Clauses 1, 2 and 3.

Mr. DEPUTY PRESIDENT: The question is that clauses 1, 2 and 3 stand part of the Bill.

Clause 4.

Mr. DEPUTY PRESIDENT: The question is that clause 4 stand part of the Bill.

Amendment.

Babu HARIBANSA ROY: Sir, I beg to move that in the proviso to clause 4, in line 5, after the words "mentioned in this section" the words "or if the value of any building is reduced by reason of any substantial demolition or if any premises is subdivided or if two or more premises or portions thereof are amalgamated," and in line 6 after the words "revaluation of such" the words "land and" be inserted.

Mr. H. P. V. TOWNEND: Mr. Deputy President, I ask your permission to intervene at this stage as I think to do so may save the time of the House. Government are prepared to accept a portion of the amendment. They are prepared to accept the inclusion of the words "or if the value of any building is reduced by reason of any substantial demolition," but they cannot accept the provision regarding subdivision or amalgamation. The reason is that in the corresponding clauses in the Calcutta Municipal Act these two provisions

are hedged round with many precautions and conditions. It is impossible at this late stage to secure that the precautions can be inserted in the Bill. If the hon'ble member who moves the amendment is prepared to accept the suggestion, I would ask the permission of the President to move the following amendment:—

"I beg to move that in line 5, in the proviso to clause 4, after the word "building" the words "or if the value of any building is reduced by reason of any substantial demolition," be inserted.

Sir, this follows the provisions of the Calcutta Municipal Act.

The motion was put and agreed to.

Mr. DEPUTY PRESIDENT: The question is that clause 4, as amended in Council, stand part of the Bill.

The motion was put and agreed to.

Clauses 5 and 6 and the Preamble.

Mr. DEPUTY PRESIDENT: The question is that clauses 5 and 6 and the Preamble stand part of the Bill.

The motion was put and agreed to.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I beg to move that the Bill, as settled in Council, be passed.

The motion was put and agreed to.

The Calcutta Port (Amendment) Bill, 1933.

The Hon'ble Mr. J. A. WOODHEAD: Sir, I beg to introduce a Bill further to amend the Calcutta Port Act, 1890.

The Secretary read the short title of the Bill.

The Hon'ble Mr. J. A. WOODHEAD: Sir, I beg to move that the Bill be taken into consideration.

The motion was put and agreed to.

The Hon'ble Mr. J. A. WOODHEAD: I beg to move that the Bill, as introduced in Council, be passed.

The motion was put and agreed to.

Adjournment.

The Council was then adjourned till 3 p.m., on Tuesday, the 14th March, 1933.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Tuesday, the 14th March, 1933, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 102 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Charges for electric consumption in the Dacca city.

*39. **Rai Bahadur SATYENDRA KUMAR DAS:** (*a*) Will the Hon'ble Member in charge of the Commerce Department be pleased to state whether he has any information justifying the charge that the unit charges for consumption of electric power for domestic purposes in the city of Dacca are not markedly higher than the local circumstances would justify; if not, is he considering the desirability of making an inquiry into the matter?

(*b*) If the reply to the first part of clause (*a*) is in the affirmative, are the Government considering the desirability of moving in the matter so that the unit charges for electric power in Dacca city can be brought down to an equitable rate?

(*c*) Will the Hon'ble Member be pleased to state whether Government are considering the advisability of constituting a Local Advisory Board in the city of Dacca for safeguarding the interests of the consumers of electric power?

MEMBER in charge of COMMERCE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (*a*) No. Government have no such information and no inquiry is proposed.

(*b*) Does not arise.

(*c*) No.

Reduction of allowances of the détenus.

*40. **Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether there has been any reduction of allowances given to persons under detention under the Criminal Law Amendment Act at the date of the passing of the Criminal Law Amendment Act, 1932 (Bengal Act IV of 1932), since the passing of the said Act?

(*b*) If the answer to (*a*) is in the affirmative, what is the total extent of such reduction?

(*c*) Are the persons in detention and the members of their families given any opportunity to state their case before the Government decide on the allowances to be given to such persons and their families under the Bengal Criminal Law Amendment Act?

(*d*) Is the Hon'ble Member aware that serious hardships have been caused to many families for withholding payment of allowances to them?

(*e*) Is it a fact that many representations have been made to the Government for redress of grievances on the subject?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) and (*b*) The allowances of détenus in actual custody have been substantially reduced from time to time as the result of periodical examinations of the expenditure involved, but Government are not prepared to state the details of the reductions effected.

(*c*) Persons detained in custody receive uniform rates of allowances and no representation is therefore necessary. As regards other allowances under the Bengal Criminal Law Amendment Act, local inquiries are made before the allowances are fixed.

(*d*) Such complaints are made from time to time but on investigation few are found to be justified.

(*e*) Yes, for alleged grievances.

All-Bengal and Assam Praja Conference.

*41. **Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Is the Hon'ble Member in charge of the Judicial Department aware of the All-Bengal and Assam Praja Conference held at Sirajganj on the 10th and 11th *Poush*, 1339 B.S., under the presidency of Khan Bahadur Maulvi Muhammad Abdul Momin, M.L.C.?

(*b*) Have copies of the resolutions passed at the said conference been received by the Government?

(*c*) Is the Hon'ble Member aware that in view of the present economic distress and widespread poverty of the agriculturists, a Moratorium Resolution has, *inter alia*, been passed by the said conference, urging upon the Government to take such steps as may legally enable the agriculturists to put off repayment of all these debts and interests at least for three years to come with provision for sanction of interests on such debts during the said period?

(*d*) Will the Hon'ble Member be pleased to state what steps are being taken by the Local Government regarding those resolutions, particularly the said "Moratorium Resolution"?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) (*b*) and (*c*) Yes.

(*d*) It is not possible in answer to a question to state the action taken on the separate resolutions which deal with widely different subjects, and some of which, *e.g.*, the proposed moratorium, are not within the competence of the Local Government.

Number of murders, attempted murders, dacoities and other outrages committed by the terrorists.

***42. MUNINDRA DEB RAI MAHASAI:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to lay on the table a statement showing for the last 5 years the number of murders, attempted murders, dacoities and other outrages committed by the terrorists?

(*b*) Have the measures that Government have taken to combat with terrorism decreased the number of such cases?

(*c*) If not, what other measures do the Government propose taking to root out terrorism from the country?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) A statement is laid on the table.

(*b*) and (*c*) Government are satisfied that the present policy, by which steady and increasing pressure is being exerted on the terrorist conspiracy, has had, and is having, a good effect, and that the situation has improved. Should fresh measures become necessary Government will not hesitate to adopt them.

Statement referred to in the reply to clause (a) of starred question No. 42, showing the number of murders, attempted murders, dacoities and other outrages committed by the terrorists.

	1928.	1929.	1930.	1931.	1932.
Murders ..	..	2	11	8	10
Attempted murders ..	3	2	23	23	27
Dacoities ..	..	3	17	41	57
Other outrages ..	..	1	2	9	3

Dr. NARESH CHANDRA SEN GUPTA: Is the Hon'ble Member aware that the Government, like other people, are very easily satisfied if they want to be satisfied?

(No reply was given.)

Health of Srijut J. M. Sen Gupta.

***43. Dr. AMULYA RATAN GHOSE:** Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state—

(i) what is the state of health of Srijut J. M. Sen Gupta at present; and

(ii) where is he now?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (i) and (ii) Mr. Sen Gupta is in Medical College Hospital and since Government have no information with respect to his state of health which is not available to his family, the public interest would not in any way be served by giving particulars.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state if it is the intention of Government to send Mr. Sen Gupta during summer to some other place?

The Hon'ble Sir PROVASH CHUNDER MITTER: I would ask for notice. It is not really my department. By a mistake it appears in my name.

Chittagong Deaf and Dumb School.

*44. **Rai Bahadur KAMINI KUMAR DAS:** (*a*) Is the Hon'ble Member in charge of the Political Department aware—

(*i*) that there is a Deaf and Dumb School in Chittagong; and

(*ii*) that the Chittagong Municipality has leased out a piece of land for erecting a house for the school?

(*b*) Are the Government considering the desirability of allotting an adequate sum, out of the collective fine realised, for the erection of a suitable house for the said school?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) (*i*) and (*ii*) Yes.

(*b*) The member is referred to the answer given to starred question No. 10 on the 23rd February, 1933.

Civil disobedience movement.

*45. **Babu SUK LAL NAG:** (*a*) Is the Hon'ble Member in charge of the Political Department aware that persons taking part in the civil disobedience movement are often arrested by the police and marched to the thana, and that some of them are let off from the thana?

(*b*) Has this practice the approval of Government?

(*c*) Is any record kept of such arrests?

(*d*) Will the Hon'ble Member be pleased to lay a statement on the table showing for the Khulna district and for the period from November, 1932, to 31st January, 1933,—

(*i*) the number of persons arrested in connection with civil disobedience; and

(*ii*) the number of such persons—

(*1*) released afterwards,

(*2*) put up for trial,

(*3*) convicted, and

(*4*) acquitted?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) In the exercise of their lawful powers the police from time to time have arrested persons taking part in the civil disobedience movement.

(*b*) and (*c*) Yes.

(*d*) (*i*) 36.

(*ii*) (*1*) Nil, (*2*) 36, (*3*) 25, (*4*) 5; and the cases against 6 persons were *sub judice*.

Deaths from malaria in the Bankura district.

*40. **Babu SATYA KINKAR SAHANA:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing for the Bankura district for each of the last five years—

(*i*) the number of deaths from malarial fever and the amount of quinine distributed;

(*ii*) the number of deaths from small-pox and the number of vaccination carried out;

(*iii*) the number of deaths from cholera and the number of cholera inoculation carried out; and

(*iv*) the number of milk injections given to patients with enlarged spleens?

(*b*) What steps other than the distribution of some quinine have been taken by the Government in this district for curing malarial patients, or for exterminating the mosquito, or for making malarial patients non-infective?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*), (*i*), (*ii*) and (*iii*) Statements are laid on the table.

(*iv*) Government have no information.

(*b*) Grants of Rs. 1,400 and Rs. 2,000 were given to the District Magistrate in 1927-28 and 1929-30 for anti-malaria work: the district board have, since 1926-27, refused to accept an anti-malaria grant under the prescribed conditions.

No steps other than quinine distribution have been taken by Government for curing malaria, exterminating mosquitoes or making malarial patients non-infective. The responsibility for taking action in such matters rests on the local authorities.

Statement referred to in the reply to starred question No. 46 (a) (i), showing the number of deaths from malarial fever and the amount of quinine distributed.

Deaths from malaria.	Government quinine grant.
1928-29—7,235.	1928-29—Rs. 3,000.
1929-30—8,126.	1929-30—Rs. 2,100.
1930-31—8,873.	1930-31—Rs. 3,270.
1931-32—8,565.	1931-32—Rs. 1,515.
1932-33—5,426 (up to October).	1932-33—Rs. 1,400.

Statement referred to in the reply to starred question No. 46 (a) (ii), showing the number of deaths from small-pox and the number of vaccination performed in the Bankura district.

Number of deaths from small-pox.	Total number of vaccination.
1927-28—243.	1927-28—76,779.
1928-29—120.	1928-29—68,657.
1929-30—67.	1929-30—72,561.
1930-31—449.	1930-31—100,931.
1931-32—200.	1931-32—88,002.

Statement referred to in the reply to starred question No. 46 (a) (iii), showing the number of deaths from cholera and cholera inoculations in the Bankura district.

Number of deaths from cholera.	Cholera inoculations reported.
1928—549.	1928—3,417.
1929—1,188.	1929—25,193.
1930—570.	1930—8,843.
1931—556.	1931—12,495.
1932—95 (up to October).	1932—2,569 (up to June).

Raising of tuition fees of students in private and aided colleges.

***47. Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether Government are in correspondence with the Calcutta University for raising the tuition fees of students in all private and aided colleges?

(*b*) If the answer to (*a*) is in the affirmative, what are the grounds on which Government are contemplating the increase of tuition fees?

(*c*) Is the Hon'ble Minister aware that, owing to the great economic distress, there has been a fall in the number of students in the *mufassal* colleges?

(*d*) Does the Hon'ble Minister realise that the raising of fees at this time is likely—

(*i*) to cripple the number of students still further;

(*ii*) to be detrimental to the interests of higher education?

(*e*) What reply has the Government received from the University on the subject?

(*f*) Do the Government agree with the University in their reply?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) Yes.

(*b*) Government have merely invited the opinion of the Universities on paragraph 216 of the Retrenchment Committee's Report.

(*c*) The figures for March 31st, 1932, showed a decrease as compared with those of two years previously, but there were over 600 more students reading in *mufassal* Arts colleges on that date than on March 31st, 1931.

(*d*) This would depend largely upon the extent to which the fees were raised.

(*e*) The final reply of the University has not been received.

(*f*) Does not arise.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Member be pleased to state whether or not the raising of the college fees will tell very heavily on backward communities particularly?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: It depends. I would refer the hon'ble member to answer (*d*).

Condition of the flood-stricken people of Gaibandha and Kurigram.

***48. Kazi EMDADUL HOQUE:** (*a*) Is the Hon'ble Member in charge of the Revenue Department aware—

(*i*) that the condition of the flood-stricken people of Gaibandha and Kurigram has not improved as yet;

(*ii*) that the crops raised by them have not been sufficient enough to meet their home requirements; and

(*iii*) that the officers deputed for the collection of agricultural loan from Gaibandha and Kurigram are being approached for the postponement of realisation till better times come?

(b) If the answers to (a) are in the affirmative, are the Government nsidering the desirability of granting the prayer for postponement of alisation of agricultural loan in Gaibandha and Kurigram subdivisions?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter).: (a) (i) It is reported that their condition is improving.

(ii) It is reported that the stocks of food grains are at present sufficient.

(iii) Yes. In some cases people of the *char* areas of the Kurigram subdivision approached the Loan Recovery Officer for postponing realisation.

(b) The local officers are taking necessary action to suspend realisation till September next in cases of real hardship.

Infestment of the east of Calcutta by anopheles ludlowii.

*49. **Rai Bahadur SATYENDRA KUMAR DAS:** (a) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether it is a fact that Dr. Bentley, the late Director of Public Health, apprehended serious menace to the city of Calcutta if the salt water lakes to the east of Calcutta came to be infested by anopheles ludlowii.

(b) If the answer to (a) is in the affirmative, will the Hon'ble Minister be pleased to state whether the salt water lakes have been periodically and recently examined for anopheles ludlowii infestation; if so, with what results?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (a) Yes.

(b) Since May, 1931, when the special staff was sanctioned, repeated and careful surveys of the salt lake areas have been made. Boats coming from the Sundarbans area where anopheles ludlowii are common have also been examined at Kristopur toll office.

No anopheles ludlowii were found breeding in or near the salt lakes till the middle of December, 1932, when at village Nawaputty near Kristopur larvæ of anopheles ludlowii were found breeding in the isolated pools connecting with the salt lake and in the margin of the salt lake itself. Subsequently the neighbouring villages of Mahishbathan and Kristopur were also found to be infected. In January new breeding places were found in the village of Gariarabad, and later near Chingrighata. Control measures have been taken regularly at all these places.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether it is a fact that this anopheles ludlowii cannot come except by train or by steamer?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: That is so, Sir.

Mr. NARENDRA KUMAR BASU: Do they come as paid passengers or unpaid passengers? (Laughter.)

(No reply was given.)

Mosquito curtains supplied to prisoners in the Pabna Jail.

*50. **Khan Bahadur Maulvi MUAZZAM ALI KHAN:** (*a*) Is the Hon'ble Member in charge of the Political (Jails) Department aware—

(*i*) that the mosquito curtains supplied to the prisoners in the Pabna Jail are too small to be used by them;

(*ii*) that the curtains were never used by the prisoners; and

(*iii*) that they are lying stocked in the jail godown?

(*b*) If the answers to (*a*) are in the affirmative, will the Hon'ble Member be pleased to state who is responsible for this waste of Government money?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) (*i*) No.

(*ii*) This is incorrect.

(*iii*) 125 of these nets are still serviceable and are issued to prisoners when required.

(*b*) There has been no waste of money.

Maulvi SYED MAJID BAKSH: With reference to answer (*iii*), will the Hon'ble Member be pleased to state out of 125 nets how many are serviceable?

The Hon'ble Sir PROVASH CHUNDER MITTER: I must ask for notice.

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Member be pleased to state whether Government intend to supply mosquito-curtains to the prisoners of other jails?

The Hon'ble Sir PROVASH CHUNDER MITTER: That question was fully debated and I believe that hon'ble member will have an opportunity of debating it again during the budget discussion. I may,

however, mention that unless the curtain is tucked up under heavy mattresses, it is somewhat difficult for the prisoners to have protection against mosquitoes. It is, however, a matter which cannot be dealt with fully in answer to a supplementary question.

Mr. P. BANERJI: Will the Hon'ble Member be pleased to state whether bricks cannot be supplied in place of mattresses?

The Hon'ble Sir PROVASH CHUNDER MITTER: I do not think that is feasible, but I do not know.

Babu JITENDRALAL BANNERJEE: Does it not follow from the reply that mosquito nets supplied to the prisoners are too small to be tucked up under the mattresses?

The Hon'ble Sir PROVASH CHUNDER MITTER: No, that does not follow.

Détenu Mr. Satindranath Sen of Barisal.

*51. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state—

(*i*) in what different jails has Mr. Satindranath Sen of Barisal been detained since his arrest in January, 1931;

(*ii*) in what part of India and in what jail is he confined at present; and

(*iii*) what is the present state of his health?

(*b*) Is it a fact that he has been subjected to X'Ray examination?

(*c*) If the answer to (*b*) is in the affirmative, what is the result of such examination?

(*d*) Is it a fact that he is suffering from tuberculosis in any form?

(*e*) Is it a fact that his relations have received no communication from him and have learned nothing about his health during the last three months?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) (*i*) and (*ii*) Government are not prepared to give this information.

(*iii*) Satisfactory.

(*b*) Yes.

(*c*) Nothing abnormal was discovered.

(*d*) No.

(*e*) Government have no information regarding this.

Babu JITENDRALAL BANNERJEE: Is it a fact that certain *kaviraji* medicines sent from Calcutta for the use of Mr. Satindranath Sen of Barisal were refused by the Superintendent of the jail?

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice.

Percentage of Mussalmans in ministerial appointments in district offices.

*52. **Maulvi HASSAN ALI:** Will the Hon'ble Member in charge of the Appointment Department be pleased to state—

(*i*) what is the percentage of Mussalmans in appointment in the Government services with regard to ministerial services, both civil and executive departments in Bengal;

(*ii*) what is the total number of ministerial officers at present in the Dinajpur Civil Court and Dinajpur Collectorate, and how many of them are Mussalmans and how many Hindus;

(*iii*) what are the educational qualifications of the present incumbents of the higher ministerial services in the Dinajpur Collectorate;

(*iv*) how many promotions from lower grade ministerial services to higher grade took place in the Dinajpur Collectorate during the last 10 years;

(*v*) whether any Mussalman ministerial officer from the lower grade to the higher grade was promoted in the said Collectorate during the last 10 years;

(*vi*) what is the principle of such promotion; and

(*vii*) whether it is a fact that even non-Matric men from among non-Moslem ministerial officers in the lower grade were promoted to the higher grade during the last 10 years in supersession of the claims of senior Mussalman officers?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*i*) The percentage of Mussalmans in ministerial appointments in district offices, Commissioners' offices and District Judge's offices is 30·04.

(*ii*) The total number in the Collectorate is 61, of which 23 or 37·7 per cent. are Muhammadans.

The total number in the civil courts is 94, of which 30 or 31 per cent. are Muhammadans.

(*iii*) Of 13 upper grade officers, one is a graduate, one appeared at the B.A. examination, four I.A.'s, six passed Entrance or Matriculation examination, and one a non-Matric.

(*iv*) Eight.

(*v*) Yes, one.

(*vi*) The principle is that laid down in rule 61 of the Board's Miscellaneous Rules, 1918, *viz.*, "appointments in the upper division are to be made with regard to special fitness for the post and unless other considerations are equal seniority is not to be regarded in filling them."

(*vii*) One non-Matric Hindu was promoted in 1924 on account of special fitness. He superseded 2 non-Matric Moslems and also 14 Hindus.

Khan Bahadur MUHAMMAD ABDUL MOMIN: With reference to (*ii*), will the Hon'ble Member be pleased to state whether the Government considers that this proportion of 30·04 is adequate?

The Hon'ble Mr. W. D. R. PRENTICE: As far as I recollect, Government orders laid down different percentages from different Commissioners of Divisions and I have no idea of what the net result of that is. But 30·04 is about one-third which is the minimum for the whole province.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Even taking one-third as Government minimum, is that, under the present educational advancement of the Muhammadans, considered to be a fair proportion?

The Hon'ble Mr. W. D. R. PRENTICE: That was the policy laid down in 1925 which at present holds the field.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is it not a fact that some time back the Hon'ble Member replied in answer to a question that the matter was under consideration and he was in consultation with his hon'ble colleagues?

The Hon'ble Mr. W. D. R. PRENTICE: I can assure my hon'ble friend that the noting on this question as to how many Muhammadans and how many depressed class members should be employed in the various departments is endless.

Mr. W. H. THOMPSON: Is it a fact that ·04 in 30·04 has no qualification at all? (Laughter.)

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice. (Renewed laughter.)

Maulvi HASSAN ALI: Will the Hon'ble Member be pleased to state whether the Government intends to fix a percentage with regard to promotions?

The Hon'ble Mr. W. D. R. PRENTICE: No; Government policy is that promotions should go by merit and not by caste or creed.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is the Hon'ble Member in a position to state whether the rules of 1924 are going to be altered?

The Hon'ble Mr. W. D. R. PRENTICE: I have already noted that when we have time we shall take up the consideration of the revision of these orders.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether promotions are made by merit in the case of Muhammadans?

The Hon'ble Mr. W. D. R. PRENTICE: Promotions go by merit, and no communal qualifications come in.

Imposition of collective fines in districts of Bengal.

*53. **MUNINDRA DEB RAI MAHASAI:** Will the Hon'ble Member in charge of the Political Department be pleased to lay on the table a statement showing for the last five years—

(*i*) a list of places where collective fines have been imposed;

(*ii*) the amount of such fines;

(*iii*) the amount realised in each case;

(*iv*) a list of villages where punitive police have been stationed;

(*v*) the amount imposed as punitive tax;

(*vi*) the amount realised; and

(*vii*) whether the fines and the taxes have been imposed on any community other than the Hindus?

The Hon'ble Mr. W. D. R. PRENTICE: (*i*), (*ii*) and (*iii*) A statement is laid on the table.

(*iv*) to (*vii*) If the reference is to additional police sanctioned under section 15 of the Police Act of 1861, a detailed reply is too

lengthy to give. In the last five years additional police have been posted in 13 areas in five districts—Chittagong, Dacca, 24-Parganas, Bankura and Midnapore—9 of these areas being in Midnapore. The total amount assessed was about Rs. 5,31,972, the total amount realised is not known. The exemptions have varied from case to case and have extended at times to Hindus as well as to members of other communities.

Statement referred to in the reply to starred question No. 53 (i), (ii) and (iii), showing particulars of the cases of collective fines imposed in districts of Bengal under the Emergency Powers Ordinance and Special Powers Ordinance, 1932.

Serial No.	District.	Number of village.	Amount imposed.	Amount realised.	
			Rs.	Rs.	a.
1	Chittagong ..	No. 71 Dhalghat and No. 72 Uttar Samuria.	5,000	4,880	8
2	Ditto ..	Chittagong Municipality, Pahartali railway colony and the villages of Patya, Anwara, Kanungopara, Saroatali, Sakpura, Kattali and Gomdandi.	80,000	60,200	0
3	Midnapore ..	Kulberia, Simulia, Bartan, Katgechia, Bar Bhagwanpur, Rampur, Totanala, Dwarikapur, Paschim, Tanguria, Bibhisanpur, Jali Gopinathpur, Jali Bishnupur, Purba Masuria, Paschim Masuria, Maisali, Rasiknagar, Pachahari in Bhagwanpur p.-s. and Baruipur, Fatehpur in Potashpur p.-s.	1,720	1,720	0
	Ditto ..	Chaknan, Nar Daulatpur, Dalbar, Attatar in Union No. I, Babuia, Deh Kasimpore in Union No. II, Makrajpur in Union No. III and Nandapur in Union No. IV in Nandigram p.-s.	2,000	1,359	8
5	Ditto ..	Chak Simulia, Mahisgote, Rajarampore and Bar Boinchberia in Mahisadal p.-s.	1,000	220	9

Serial No.	District.	Number of village.	Amount imposed.	Amount. realised.
			Rs.	Rs. a.
6	Midnapore ..	Hijalberia in Tamluk p.-s.	350	339 0
7	Ditto ..	Dundipore in Sutahata p.-s.	300	285 8
8	Ditto ..	Etarpur Lachhanpur, Potapukhuria-Anantaroutparh, Samudrapur, Jamalpur, Dadpur and Bhandubasan in Contai p.-s.	1,000	Not yet realised.
9	Ditto ..	Gopalpur, Sherpur, Tatkapur, Ramchandrapur, Badalpur in Ramnagar p.-s.	530	Ditto.
10	24-Parganas ..	Krishnapore, Chandiberia, Mahisgot, Mahisbathan, Thakurdari in Rajarhat p.-s.	1,000	1,000 0

Special motion under section 78A.

Mr. MUKUNDA BEHARY MULLICK: On a point of order, Sir. The resolution, I submit, is entirely out of order and cannot be discussed in this Council. If you permit me, I will state my reasons.

Mr. PRESIDENT: Instead of pronouncing your verdict on it, let me know what your point of order is.

Mr. MUKUNDA BEHARY MULLICK: I say that it cannot be discussed under the rules of the Council for this reason——

Mr. PRESIDENT: What is the rule that you are relying on?

Mr. MUKUNDA BEHARY MULLICK: The motion has been tabled as a special motion under section 78A of the Rules and Standing Orders. Clause 1 of section 78A lays down that no discussion of any matter of general public interest should take place other than on a resolution moved in accordance with the rules, except with the consent of the President and of the Member of Government to whose department the motion relates. The motion, as tabled, is not a matter of general public interest at all, as it concerns only the Hindus and not any other section of the public. The pact was arrived at in the month of September last and there was one session of the Council already in——

Mr. PRESIDENT: I am afraid you are delivering a speech.

Mr. MUKUNDA BEHARY MULLICK: I am referring to the point, whether the consent of the President or the Member of Government has been taken. I do not know who the particular Member of Government in this case is, but before the President and the Member can give their consent to a special motion, the motion must satisfy the ordinary provisions relating to resolutions as contained in section 71 of the Rules and Standing Orders.

The Hon'ble Mr. W. D. R. PRENTICE: May I save the time of the Council by stating that I am the unfortunate Member of Government whose consent has been taken?

Mr. MUKUNDA BEHARY MULLICK: That section provides that the Government may disallow any resolution on the ground that it cannot be moved without detriment to the public interest or on the ground that it relates to a matter which is not primarily the concern of the Local Government, and when it is so done, the resolution shall not be tabled and placed on the list of business. Now, what I maintain is that the subjects indicated in the resolution are not only of no concern to the Local Government, but are not even of any concern to the Bengal Legislative Council; it is the concern of the Home Government——

Mr. PRESIDENT: I cannot allow you to proceed in this fashion. You are perhaps now suggesting that His Excellency the Governor should have disallowed it. You cannot do so by raising a point of order in this House.

Mr. MUKUNDA BEHARY MULLICK: I say that under section 71, any resolution must satisfy the provisions of section 71.

Mr. PRESIDENT: Order, order. I may tell you at once that this motion is of public interest, and the Hon'ble Mr. Prentice, the Member in charge of the department concerned, has given his consent as required by our rules. The motion is in order and Mr. Bannerjee will move it just now.

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir. I seek a ruling from you on the point whether in view of the notice of a resolution that has been already admitted by you, a similar motion can be brought before the House before the other motion has already been disposed of. I gave notice of a resolution for reconsideration of the communal award. That resolution has not been disposed of as yet. Now I want your ruling whether Mr. J. L. Bannerjee is entitled to move a resolution on the same subject.

Mr. PRESIDENT: I quite understand what you mean, but the days allotted for resolutions are over and the resolution you refer to was not taken up or dealt with by this House. It was open to Mr. Bannerjee to bring forward this motion as a special motion under section 78A.

Mr. SHANTI SHEKHARESWAR RAY: I want your ruling on the point whether that disability runs throughout the session, or only during the period allotted.

Mr. PRESIDENT: Order, order. If that resolution had come before the House and some decision taken with regard to that, the case would have been altogether different. But, the resolution was not reached. The House had no opportunity to judge it on its merits, and no decision was taken at all.

Babu JITENDRALAL BANNERJEE: Sir, I beg to move that this Council urges the Government to bring it to the notice of the Prime Minister that, in the opinion of the Council, the Poona Pact (relating to the representation of the depressed classes in the provincial legislatures) is inapplicable in the peculiar circumstances of Bengal, that it is injurious to the interests of the Hindu community of this province and subversive of their solidarity; that it does not fulfil the conditions for a substituted agreement laid down in paragraph 4 of the Prime Minister's Award; and that, therefore, the Prime Minister should be pleased to revise and withdraw his acceptance of the same so far as this province is concerned.

In doing so, I hope the House will bear with me while I give a short historical review of the facts, circumstances and conditions which led to the conclusion of the Poona Pact. Logically, I should begin with the Prime Minister's Award. But in order to complete the narrative and avoid the risk of a possible confusion, I shall begin a little way further back.

Sir, on the 1st of December, 1931, the Prime Minister, in his final address to the Second Round Table Conference, said that if the different communities of India failed to arrive at an agreement among themselves, the mere fact of such failure would not be allowed to stand in the way of their political advancement, and His Majesty's Government would try, themselves, to arrive at a settlement satisfactory to the parties concerned—I am not quoting the language, I am giving only the substance, but I can assure hon'ble members that they will find the substance to be quite correct. Subsequently, on March, 1932, the Prime Minister was informed by the Government of India that continued failure on the part of the Indian communities to arrive at a settlement among themselves was blocking further progress with the constitutional scheme; and the decision to give an award on the communal question was thus in a manner forced upon the Government at

Home. And here I must observe, in bare justice to the British Government, that the responsibility of giving a decision on the communal question was undertaken by them with genuine, *bona fide* reluctance. They had no desire to meddle in the matter, and it was only our repeated and persistent failure which compelled them to do so.

The Prime Minister's Award was published on the 17th of August. At first it was expected that the Award would refer only to outstanding points of difference between the Hindus and the Muhammadans. But in point of fact, the Award went much further beyond. For the first time in the history of British Indian legislation, certain sections of the Hindu community were segregated under the name of the depressed classes and treated as a separate factor for the purpose of political representation. Sir, I should ask my friends to bear in mind that, just at present, I am passing no judgment, I am making only a statement of facts. So far as Bengal was concerned, the arrangements made for the representation of the depressed classes on the provincial legislature were to the following effect: They were permitted to vote in the general constituencies together with the other Hindus. But it was felt that, considering their educational and economic backwardness, they might not find an adequate number of spokesmen if allowed to come in through the general constituencies alone. A certain number of additional seats had, therefore, to be provided for them Except in Madras, these additional seats were not to cover the whole area of a province; they were to be confined to certain localised areas only, and, in Bengal, their number was not to exceed ten. It was provided also that the whole arrangement was to be temporary; it might be terminated by arrangement among the parties after ten years; and it was to terminate in any case after 20 years.

On August 18—the very day after the publication of the Award—Mahatma Gandhi addressed a letter to the Prime Minister in which, repeating a resolve he had previously communicated to the Secretary of State, he announced that he would resist the Prime Minister's decision with his life; and that, in his case, this "resistance with life" would take the form of "fasting unto death". His argument was that the Prime Minister's decision to provide "separate electorates" for the depressed classes would have the effect of "disrupting and vivisecting" Hinduism, and that, therefore, quite apart from the political consequences of the matter, it was a point of religion with him to resist such decision with his life. The Prime Minister's reply, dated the 12th of September, is a document of first rate and capital political importance. In this he pointed out—very patiently, and I submit, very justly—that there was no question of splitting up Hinduism in his scheme; that, under his Award, the depressed classes were permitted to vote in the general constituencies side by side with the other Hindus; that it was only to give them a certain number of spokesmen of their very own

that some additional seats had been provided for them; and that the only effect of providing such additional seats would be to give them a double vote.

But Mahatma Gandhi was still not satisfied. In his rejoinder, dated the 13th of September, he said that he sensed "the injection of poison" in the mere fact of separate voting, and that the "statutory recognition" of separate voting, in however qualified a form, was repugnant to him. The words used were most significant and I should ask the House to take note of the same. It was the mere fact of separate voting that was so objectionable to Mahatma Gandhi; for, if the depressed classes were once allowed to vote separately, they would think that they were apart and aloof from the general bulk of the Hindu community and this would inevitably lead to the disintegration of Hindu society.

The threatened fast commenced on the 20th of September. Naturally there was very great excitement in the country and a very general and deep-felt desire to save a life so valuable for India and humanity. Leaders of various sections of the Hindu community hastened to meet at Yerwada; and there, under the compelling shadow of Mahatma Gandhi's continuing fast and inspired by the eager desire to save his life, a Pact was evolved, the main features of which—so far as Bengal was concerned—may be thus summarised—

"As in the Prime Minister's Award, the depressed classes were allowed to vote jointly with the other Hindus through the general constituencies.

As in the Prime Minister's Award, the depressed classes were given certain additional seats as well. Only, while, under the Prime Minister's scheme, the additional seats were not to exceed *ten*, in the Poona Pact, they were fixed at 30. For these 30 seats, the depressed classes, voting separately in their electoral colleges, would select 120 candidates—four for each seat; and then the choice of the actual members from among these 120 candidates would be by joint voting.

Also, while, under the Prime Minister's scheme, the additional seats were to be confined to certain localised areas, under the Poona Pact they were to cover the whole area of the province."

There are two further points to be noted about the Pact. It received the countenance, sanction and benediction of Mahatma Gandhi. But he was not a signatory to the same, and, in that way, not directly a party to the same. Also the Pact was signed by various members of the Hindu community—eminent and not-so-eminent, but it was not signed by a single representative Hindu from Bengal. None was present from Bengal—I forget—Rabindranath Tagore was there—but apparently he was not consulted or did not consent—and, in any case, the document was signed by none from Bengal.

The Pact was concluded on the 24th of September, and thenceforward things moved with lightning rapidity. It was telegraphed to the Prime Minister on that very day; the Prime Minister's telegraphic acceptance was received the very next day; and on the day after—the 26th of September—Mr. Haig made an announcement on the subject in the Legislative Assembly, then in session at Simla. The substance of Mr. Haig's statement was to the following effect, *viz.*, that the leaders of the depressed classes and of other sections of the Hindu community having arrived at an agreement, His Majesty's Government would recommend the adoption of the relevant parts of the agreement to Parliament according to the procedure laid down in paragraph 4 of the Prime Minister's Award.

This then is the present position of affairs. His Majesty's Government will recommend the adoption by Parliament of the relevant parts of the Poona Pact—and they say that they will do so according to the procedure laid down in paragraph 4 of the Prime Minister's Award. And it is precisely here, upon this specific statement of facts, that I join issue with His Majesty's Government. Can it be contended with the least show of reason that the Poona Pact fulfils the conditions for a substituted agreement laid down in the Prime Minister's Award? And if it does not—as I shall not have the least difficulty in showing that it does not—was there any justification for the Government's acceptance of the Pact in so far as it related to Bengal?

Sir, in paragraph 4 of the Prime Minister's Award certain conditions —certain precise and specific conditions—are laid down, which must be strictly fulfilled ere any modification of the Award could ever be considered by His Majesty's Government. A part of this paragraph runs to the following effect:—

"His Majesty's Government wish it to be distinctly understood that they themselves . . . . . will not be prepared to give consideration to any representation aimed at securing modification of it which is not supported by all the parties affected.

Therefore, no modification of the Award was to be considered unless it was supported by all the parties affected. Now, it must be remembered that the Award was limited in its scope. It did not touch the question of the Federal Central legislature: it was expressly concerned with the distribution of seats in the provincial legislatures. And it must be admitted that the distribution of seats in a provincial legislature is a provincial matter, to be decided, solely and entirely, by the people themselves of that province: it cannot be decided by an indefinite body of men comprehended in the vague, general description of "leaders of the Hindu community." The question of depressed class representation in the Bengal Legislative Council of the future must primarily be settled by the Hindus of Bengal—whether belonging to the higher

castes or to the so-called depressed classes: and the Hindus of the other provinces are out of court in such a matter. This is but common sense; and it is a curious commentary upon the binding and authoritative character of the Poona Pact that, among its representatives, there is not a single representative from Bengal. I have said that the Pact is signed by various members of the Hindu community—eminent and not-so-eminent. A sample will suffice. I find that, among others, the Pact was signed by Mr. A. V. Thakkar, Mr. Kaprolkar Rajbhoj, Mr. Baloo and Mr. Pillai. No doubt, very eminent and distinguished persons all—and I am only unhappy that they are unknown to me. It will be said that that is because I am myself unknown. But there are so many eminent persons by whom I am surrounded! And I put it to all of them whether these distinguished signatories of the Poona Pact are known to any by name, title or designation. In any case, I decline to have my birth-right signed away by Messrs. Thakkar, Rajbhoj, Baloo, Pillai and Company. (A VOICE: What were you doing when the Pact was signed?) Sir, I have no patience with the argument that the Poona Pact must be held as sacrosanct and binding upon us because we were absent when it was concluded. In the first place, we were not present because we were not asked to be present; in the second place, though the negotiations went on for several days, nobody cared to consult the opinion of Bengal; in the third place, is it a trumpery civil suit that judgment should go against us by default? And, lastly, even if there is judgment by default, whoever heard of an agreement by default—an agreement concluded when one party was absent?

Sir, in my resolution, I wanted to make three points—that the Pact is inapplicable, that it is injurious, and that it does not fulfil the conditions of an agreed settlement. I have dealt with the last point already; and I shall now pass on to deal with the question of inapplicability. And here I raise the broad issue at once—Is there any depressed class problem in Bengal in any real sense of the term? Or, going still further, are there any sections of the Hindu community in Bengal who can be described as the depressed classes? Let me clear away at the outset a certain amount of confusion which always enters into a discussion of the problem. It would be idle to confound the depressed classes with the backward classes. There are large sections of people in our country which are terribly backward educationally as well as economically: but we meet them everywhere, among the Brahmins as among the Namasudras. Also, the mere fact that certain castes suffer from certain social disabilities as compared with others is not sufficient to mark them out as depressed classes. Such social inequalities are part and parcel of the Hindu social system, and they do not connote any political or civil disability. The only question to be asked is this—"Are there any body of men in Bengal who are penalised as regards political and civic rights and privileges by reason of their belonging

to any particular class or caste?" The answer is bound to be in the negative. There are such political and civil disabilities in other parts of India—in Madras, in the United Provinces, perhaps elsewhere. But in Bengal, can it be honestly maintained that there is any caste or class the members of which are debarred from the use of public wells, public roads or public educational institutions? On the other hand, is it not a fact that, in the matter of educational facilities and Government appointments, the depressed classes are in the position of privileged classes, and concessions are granted to them which are denied to the other classes? I do not grudge these concessions; but, in the light of these facts, what becomes of the cry about the depressed classes?

And even from the point of social disabilities, are there any depressed classes in Bengal? And if so, what is their strength? Sir, the question has a long history behind it. It was discussed for the first time in the Imperial Legislative Council as it then was in 1916; and it was then suggested on behalf of the Government that the depressed classes should be held to include criminal tribes, aboriginals and the untouchables. This was the opinion expressed also in 1917 by Sir Henry Sharpe, then Educational Commissioner with the Government of India. In 1919, the Southborough Franchise Committee took untouchability as the criterion of the depressed classes; and the Lothian Committee, in adopting the same criterion, has amplified the meaning of untouchability. According to them, there are three tests of untouchability—debarment from temple-entry, causing pollution by approach, and causing pollution by touch. So far as the first is concerned, in the great public temples of Bengal—the question of private temples stands on a very different footing altogether—in the great public temples such as the temples at Kalighat, Tarakeswar and Chandranath, the question of caste is never taken into consideration in giving entry to worshippers. As regards pollution by approach, the thing is unknown in Bengal: and even as regards pollution by touch, it is only a very few sub-castes that suffer from this disability. These are the Mehtars, Doms, Hazis, Dosadhs, Muchis, Chamars and Bhuimalis. Their number all told does not exceed one million: in other words, their proportion to the total Hindu community of the province is not 30 to 80 as the Poona Pact gives it but less than 4 to 80.

Sir, in this connection, I cannot help remarking that a very great mistake is made when people speak of the depressed classes as if they were a solid, compact, entire and homogeneous body, set in opposition to another solid, compact and entire body known as the caste Hindus. There is no such clean-cut division in the Hindu community. The depressed classes number 86 sub-castes among themselves; there is no common bond of contact or cohesion between them; and they are shut off from one another by barriers of social and ritualistic usage as rigid as those which mark them off from the caste Hindus. There are many

stalwart representatives of the Namasudra community in this Council, and stalwart and distinguished representatives of the Rajbangshis as well. And I ask my friend Rai Sahib Panchanan Barma—would he interdine with a Namasudra? Or, forgetful of the burden of threescore, would he inter-marry with a Namasudra? (Laughter.) Such being the case, how is a Namasudra or a Rajbangshi better qualified to speak, say, for a Pod or a Bagdi than a Brahman or Kayastha would be? And yet the Namasudras and Rajbangshis are concentrated in such masses in certain areas of Bengal that the bulk of the 30 seats ear-marked for the depressed classes are sure to be captured by them: and I submit that this would be much less than just to the other members of the depressed classes.

Sir, I have been contending that there is no depressed class problem in Bengal: and in this opinion I am fortified by no less eminent an authority than the Superintendent of Census Operation for Bengal for 1931. It is remarkable that the first part of Mr. Porter's report containing this expression of opinion has been held back from publication at the special request of the Government of Bengal; and I suggest that it has been so held back to give time while fresh depressed classes are manufactured in the laboratory of Mr. Prentice. (Laughter.)

Sir, I pass on to my last point—the injury to the Hindu community of Bengal. And here, I take my stand on the point enunciated by Mahatma Gandhi himself. Mahatma Gandhi's objection to the Prime Minister's Award was that he sensed "the injection of poison" in the very fact of separate voting. Why, Sir, if that is so, is not the case made tenfold worse under Mahatma Gandhi's own scheme? If there was the virus of separate voting in the Premier's Award, there is the same virus of separate voting in the Poona Pact also. It does not matter whether you call it voting through electorate *or* electoral colleges—the change of name does not mean a change of the thing—the fact remains that the depressed classes vote separately—in however modified or qualified a form—to quote Mahatma Gandhi's own formula; and if the mere fact of separate voting is calculated to lead to a disruption or vivisection of Hinduism—again, my authority is Mahatma Gandhi—the danger is as prominent in the Poona Pact as in the Premier's Award. Nay, it is far greater, far deeper and far more prominent. In the Prime Minister's Award, the evil was confined to 10 seats, in the Poona Pact it is extended to 30. In the Prime Minister's Award, the evil was confined to a few restricted areas as an exceptional measure; under the Poona Pact, the whole fair face of the province is plastered with the poison. And to me, the cruellest tragedy of the situation—far worse, far more painful than any Award or Pact could be,—is that the first and chief martyr or nationalism in the country should himself be the instrument of subverting the cause of national solidarity in Bengal.

Sir, it is repeated over and over again that we are too late. Technically, we are not too late. It is Parliament, and not even His Majesty's Government, which is the final arbiter in this matter: and before Parliament the case has still to come. But technicalities apart, morally, our case is overwhelming in its strength. To friends, to opponents, to neutrals—to all I shall say—it is never too late to right a wrong, never too late to redress a grievance, never too late to mend a cruel, gross and flagrant piece of injustice.

With these words, I commend my resolution to the acceptance of the House.

Babu AMULYADHAN RAY: Mr. President, Sir, I do not know what has prompted Mr. Bannerjee to bring this motion: whether nationalism, communalism or the interest of a certain class of people, that is passing through the mind of the hon'ble mover. No one could conceive that the "dear" Poona Pact of Mahatma Gandhi born in the prison cell at Yeravada will receive a death blow in this House of Liberty in Bengal. The remedy of Mr. Bannerjee is not by carrying the motion in this House but by coming to an agreement with the depressed classes. However, Sir, the depressed classes of India much less of Bengal were not at all responsible for the Poona Pact. It is your own creation thrust upon them which they have accepted not by choice but by necessity True it is that the depressed classes of Bengal were dissatisfied with Mr. Macdonald's Award for injustice done to them with regard to the number of seats allocated to them in the future Bengal Legislature; but for creation of separate electorates and recognising them as a community they regarded it as a Magna Charta of the depressed classes unprecedented and unparalleled in the constitutional history of India and when Mahatma Gandhi chose his extreme course of penance, not for independence of India like MacSwiney of Ireland nor for removal of untouchability but on account of creation of separate electorate for the depressed classes hitherto deprived of the political rights of a country of their own and when the precious life of the great Indian was on one side and the political right or political death of millions of people on the other were hanging in the balance, we ordinary men with ordinary common sense were unable to appreciate the greatness of that great man. Those who want to have the Pact cancelled now were then holding bogus meetings in the name of the depressed classes with a few paid scavengers of a municipality or some subservients of corporation as audience and a few papers created leaders as speakers with a view to enter into some sort of agreement.

By false propaganda carried on in the columns of irresponsible newspapers you turned our mother India into the position of a stepmother and created such an atmosphere that in case we would have said that if Hinduism could have survived if India could have outlived,

notwithstanding her thousand and one watertight compartments of caste and sub-castes, Hinduism would not be buried under the soil and bid a good-bye once for all by 20 years' separate electorate in a very limited form. That is how you got your Poona Pact which Mr. Bannerjee is now going to cancel.

"In the establishment of separate electorate for the depressed classes I sense the injection of poison that is calculated to destroy Hinduism" were the words of Mahatma Gandhi while criticising the communal award in his letter to Mr. Macdonald of 9th September, 1932. Now, according to Mr. Jitendralal Bannerjee, "the Poona Pact is injurious to the interest of the Hindu community and subversive of their solidarity." We heard the other day that Mr. Macdonald's Award would disrupt the Hindu society and we are to hear to-day that the Poona Pact will destroy the same. Mr. Bannerjee will take from me that we do understand all this Brahmanical fraud.

Neither Communal Decision was nor the Poona Pact is against the interest of the Hindu community or subversive of their solidarity. It might be against the sectarian interest of those three castes, Brahmins, Baidyas and Kayasthas, who have in the name of the Hindus monopolised the political power and the public services in every branch of the administration, superior or subordinate. Hindu Mahasabha of the so-called caste Hindus, the sister organisation of the Congress, the Congress itself and its former worshipper Mr. J. L. Bannerjee have in season and out of season said that joint electorate is the foundation of Indian nationalism and advocates of separate electorate are enemies of freedom. The Poona Pact is based on the system of that joint electorate. The Poona Agreement has provided that election of depressed class candidates to the legislature shall be by joint electorate subject to the system of primary election with reservation of seats for the depressed classes. Sir, if time allows, I shall show that the Poona Pact is wholly and solely based on joint electorate and the primary election is absolutely trash and meaningless.

Sir, it has been said that the Poona Agreement relating to the representation of the depressed classes in the provincial legislatures is inapplicable in the peculiar circumstances of Bengal. I could not follow what that peculiar circumstances were till I heard Mr. Bannerjee. Mr. Bannerjee has said that there is no untouchability in Bengal. I do not understand how a class of people can think one way, say another and do a third. Shame indeed to create anti-untouchability league in Bengal, to start temple entry *satyagraha* at Munshiganj and Kapilmuni, to establish separate Hindu hostels and boardings maintained at the cost of public revenue for the caste Hindus and the depressed classes, to keep the Government Hindu High English School at Calcutta open for the boys of the high caste Hindus and to allow them only to the dining hall of Lewis Jubilee Sanatorium at Darjeeling on the one hand

and to say in mouth that there is no untouchability in Bengal. These are indeed the peculiar characteristic of the people here. The untouchability in Bengal may not be so acute or so inhuman as in the south, but it is so wide in Bengal as it cannot be found anywhere in India except the United Provinces.

The population of the depressed classes of Bengal is greater than the population of the depressed classes of any other province except the United Provinces. The so-called caste Hindus of Bengal in order to retain their political power and privilege, their monopoly of State patronage and hold upon the depressed classes, are trying to minimise the number of the depressed classes as much as possible and are making show that there is no untouchability and no disability in Bengal.

I will just read out a letter from a person not belonging to my caste but to the privileged class to which Mr. Bannerjee belongs, which speaks for itself:

(Here the member read out a Bengali written post-card.)

"বাংলায় অস্পৃশ্যতা দক্ষিণ ভারত হইতে তীব্রতায় কম কিন্তু ব্যাপকতায় এত বেশী যে যতই Seat দিই অন্যায়ের উপযুক্ত প্রতিকার করা হয় না। এক ফরিদপুর জেলায় হিন্দুদিগের ভিতর ৯২ জন অস্পৃশ্য ৮ জন উচ্চ বর্ণ। অবস্থা পরিবর্তন করা চাই, উপরন্তু প্রায়শ্চিত্ত স্বরূপ বেশীও দিতে হয় ইতি।

বিনীত—

সতীশ চন্দ্র দাস গুপ্ত।

11-2-33."

The following is a translation of the above:—

"In Bengal untouchability is less intense than in the southern parts of India. But it is so extensive that the wrong (done to the untouchables) cannot be undone by the offer of a larger number of seats (in Council). In one district alone—in Faridpur—there are 92 untouchables to 8 caste Hindus. This state of things must change. Besides, we ought to offer more (to the untouchables) by way of expiation.

In all humility—

(Sd.) Satish Chandra Das Gupta.

11-2-33."

Mr. J. L. Bannerjee's another criticism is that the Poona Pact is inapplicable in Bengal so far as it relates to the representation of the depressed classes in the provincial legislatures. The same principle of joint electorate with reservation of seats by the method of primary election has been provided in the Poona Agreement for election of depressed class candidates of Bengal to both provincial and central legislatures. But Mr. Bannerjee does not raise any objection with regard to the latter. The reason is that in the central legislature the depressed classes' share of 18 per cent. of the seats allocated to the

general electorate for British India in the said legislature is too insignificant a matter to receive criticism or opposition. Mr. Bannerjee has said that the problem of the depressed classes is a social one. Politically the so-called upper classes have got adverse interest to that of the depressed classes and these very gentlemen are opposed to their education and, in fact, all their interests. The passing of the Bengal Tenancy Amendment Act, 1928, and opposition to the passing of the Bengal Primary Education Act are instances on this point. Generally the depressed class men are the agricultural people of the land and engaged in service and in offensive pursuits and the upper classes are the *mahajans*, tenure-holders, service-holders, *zamindars* and their followers. During the last 12 years in Bengal, since the introduction of the Montagu-Chelmsford reforms up to the present moment the caste Hindus have not voted in favour of any genuine depressed class candidates except the puppets and tools at their hands. Sir, I may tell you that even Rai Sahib Panchanan Barma did not receive a single vote from any gentleman of Mr. Bannerjee's group. Mr. Bannerjee is not very anxious for the Hindu community, but he is very anxious for the 30 seats. The hon'ble mover has said that a Namasudra cannot marry a Rajbangshi. As a Bannerjee cannot marry the daughter of a Basu, (Mr. NARENDRA KUMAR BASU: He has never said that) so a Namasudra cannot marry the daughter of a Rajbangshi Is it known to Mr. Bannerjee that the interests of these classes are exactly the same?

Mr. Bannerjee can take it from me that we are not afraid of his motion. The light he has kindled will continue to burn till he has made atonement for his crime. The Poona Agreement is an all-India agreement and it cannot be cancelled partly relating to the provisions of the provincial legislature with respect to Bengal only. The Pact was not entered into between Bengal and the depressed classes. We do not want cancellation of the Pact piece-meal. Mr. Macdonald's Award, or the Poona Pact, whichever it might be, must stand for the whole of India. It is neither fair nor just to place the depressed classes of the province of Bengal on a footing different from that of the depressed classes of the rest of India. Here is Mahatma Gandhi's letter written in reply to a letter from the Secretary of the All-Bengal Depressed Classes' Federation; it runs thus—

"Dear friend,

I have your letter. I have read as you have read the movement in Bengal for the revision of the Yeravada Pact. I can assure you that I have found no reason whatsoever to revise my own attitude. You need not be anxious for I am convinced that that Pact cannot be revised without the unanimous consent of all the parties concerned.

Yours sincerely,

M. K. Gandhi.

The depressed classes have the strongest objection to the piece-meal modification or cancellation of the Poona Pact with regard to Bengal only and we would request Mr. Macdonald not to withdraw his acceptance of the Poona Pact.

Then, Sir, Mr. J. L. Bannerjee says that the Poona Pact does not fulfil the conditions laid down in paragraph 4 of the Prime Minister's Award which runs thus—

"His Majesty's Government are most desirous to close no door to an agreed settlement should such happily be forthcoming."

Mr. Bannerjee's plea that Bengal was not represented in the Poona negotiations is very weak. As far as I am aware, Mr. Birla sent telegrams to Sj. Ramananda Chatterji and Dr. Rabindra Nath Tagore. The poet was, however, present at the time in Poona. The point is whether Bengal accepted the Poona Pact unconditionally without any word of contradiction and I challenge Mr. Bannerjee to say whether any protest was made against it. I pause for an answer. Beginning from the city of Calcutta and all over villages in Bengal meeting after meeting was held and everywhere resolutions were passed for the acceptance of the Poona Agreement. It was circulated to the press and the platform and if there had been any delay, the caste Hindus of Bengal or of India would have laid the whole blame on His Majesty's Government Therefore the Prime Minister was perfectly justified in accepting the agreement which was arrived at with the consent of all the parties concerned. His Majesty's Government should know that when they accepted the Pact, they had presupposed that there was an agreed settlement. My friends should know that by bringing this motion or by carrying it in this House the Pact cannot be cancelled. It is immaterial whether this motion is carried or not; it is altogether immaterial in a House where there are so-called friends of ours and we are only 7. It is not this House where voting should take place but outside it. Therefore the mere passing of this motion does not show that Bengal does not want the Pact. I wish to say one word to Mr. Bannerjee. He should know that if the steel frame of the caste system having treated the majority of the members as cats and dogs and having subjected them to every conceivable mark of humiliation; if grave injustice and inhuman oppression done by a brother to a brother of the same religion; if the Brahminical fraud of preaching that miserable condition of men and their position as slaves are the logical sequence of their sins in past lives and that any deviation from that position would mean enternal perdition; if hatred between man and man, despised and downtrodden in the same society and if the God Almighty having been kept under lock and key in public temples of worship for false fear of being polluted by the touch of mankind have not yet been in a position to kill Hinduism or the Hindu community, the Poona Pact will never break down that system, but it will make

the paralysed part of the Hindu society as active as possible. We do feel that the so-called caste Hindus are not very anxious for the Hindu society but as I have already said, they are more anxious for the political power and privilege passing out of their hands to the hands of the depressed classes. I conclude with a message of hope to Mr. Bannerjee that if the depressed classes get some political power in the country, they will not transport Mr. Bannerjee or the caste Hindus of Bengal, forgiving and forgetting all their past wrongs.

(The Council adjourned for 25 minutes.)

(After adjournment.)

Mr. S. M. BOSE: I rise to accord my cordial support to the resolution so ably moved just now. In doing so, I shall be very brief as the facts marshalled by the mover clearly show the glaring injustice done to the Hindus of Bengal by the so-called Poona Pact—injustice to all the Hindus of Bengal and not merely to the upper classes.

At the outset, I want to make it clear that however much we can rightly object to the Premier's Award, it must for the present, at any rate, be accepted as binding and must be taken to be so for the purpose of this debate.

The Poona Pact, I maintain, is a thousand times worse than the Premier's Award and I shall briefly state my objections.

First, the Pact is founded on the principle of perpetuating the separation among the Hindus and thus inevitably weakening their solidarity and strength. The Award on the other hand fixed a rigid time-limit of twenty years.

My next ground is that it has done a grave injury to the Hindus of Bengal as a whole. The upper classes have been thrown to the wolves and their rights curtailed apparently as a punishment. The depressed classes have been encouraged to think themselves as distinct from the other Hindus. The Pact has interfered with the natural and gradual process of amalgamation among all classes of Hindus, interfered with the evolution of a feeling of unity among them. Hindus are sought to be broken up and divided into two water-tight compartments.

My third objection is that the Pact has entirely overlooked the fact that the problem of backward classes in Bengal is hardly the same as that in provinces like Madras. The finding of the Lothian Committee entirely supports this view. In Bengal caste restrictions have never been very rigid and they are being rapidly removed—thanks to our education and culture. I maintain that the number of really backward classes here requiring special protection is very small.

We, the Hindus of Bengal, have the right to demand our place in the sun. We have the right to demand that Hindu culture and education shall not be a bar to holding seats in Council. We have in the past worked for the uplift of, not only Bengal, but the whole of

India, and we justly demand representation on the basis of our political importance and service. It cannot be denied that the help of the Hindu intelligentsia of Bengal is necessary in the working of the provincial autonomy.

The authors of the one-sided Pact have, no doubt unwittingly, done a grave wrong to the intelligentsia of Bengal. They have unintentionally joined hands with those die-hards who proclaim that because some in their eager desire for freedom and power have foolishly thrown bombs, because some have foolishly broken the law and thus sought to undermine the foundation of society, therefore all Hindus should be put down.

I do not grudge our brothers the 30 seats given to them. Let them join us and capture as many seats as they can—but let them feel that they are Hindus first, that they form one people with us. Let them realise that in their happiness, in their prosperity and in their contentment lies the happiness, the prosperity and the contentment of the whole Hindu community of Bengal.

Maulvi ABDUS SAMAD: Sir, I cannot help supporting Mr. J. L. Bannerjee's motion even at the risk of being misunderstood by my esteemed friend Mr. Amulyadhan Ray and others of his way of thinking. I support it not because I have any grudge against the depressed class Hindus, but because the Pact militates against the principles of democracy and nationalism inasmuch as it recognises separate representation with a modified form of separate electorate. It is no improvement upon the Premier's Award. Another important reason for opposing the Pact is that as long as the Pact remains in force, justification for the retention of the system of separate representation and separate electorate for the Muslim community would remain. So, the Pact is not only injurious to the interests of the Hindu community of this province and subversive of their solidarity as stated in the motion, it is also injurious to the interests of the Muslim community and is equally subversive of the Hindu-Muslim solidarity. It does not require much intelligence to understand that without national unity and national solidarity the so-called coming national government would be reduced to a mere sham and mockery.

There is another aspect of the question to which I would invite the attention of the supporters of the Pact. The Pact gives 30 seats in a lump to the depressed class Hindus and there is no provision for distributing the same among the different sub-castes of the depressed class on the basis of population. Turning to the list of scheduled castes, it will be seen that there are no less than 86 sub-castes constituting the depressed class Hindus. Some of these sub-castes, as for example, the Namasudras, the Rajbangshis and the Surris, occupy a higher status in society and are more advanced in point of education, wealth and

culture than the rest. In fact, they stand in the same position in relation to the others as the caste Hindus do in relation to them. There is no interdining or inter-marriage or cultural unity and affinity among the different sub-castes. To a Namasudra a Chamar or a Muchi or a Methar is more untouchable than he is to a caste Hindu. The Poona Pact does not contain any special provision for the representation of these sub-castes who occupy the lowest strata in the Hindu society and they are more than 80 in number and form a very large proportion of the depressed class Hindus. As the position now stands, it is as certain as night follows the day that all the 30 seats reserved for the depressed class Hindus would be captured by the Namasudras and a few others who are at the top of their society and the rest would go unrepresented. If a caste Hindu cannot represent the Namasudras and Rajbangshis on the ground of higher social status of the former, how can the Namasudras represent the interests of the sub-castes lower than themselves in social position and status? Is there any evidence that the depressed class Hindus other than the Namasudras and a few others have greater faith and confidence in the latter than in the caste Hindus? Certainly not. On the contrary, if left to themselves, they would always prefer a caste Hindu as their representative to a Namasudra or a Rajbangshi. That being the case, the Poona Pact is going to perpetrate a most glaring piece of injustice to the real depressed class Hindus by depriving them of their birth right of sending representatives of their own choice.

I see, Sir, that communalism is contagious. At first only a handful of Muslim self-seekers demanded it and it was gladly conceded by the Government. Then following in the footsteps of the Muslim communalists, a handful of the so-called depressed class leaders put forward their demand for separate electorate and they have got it. A time would soon come when every sub-sect in each and every community would demand it and is sure to get it. The Council would then be converted into a veritable pandemonium. Each member would speak in his own interest and none would care to speak in the larger interests of his country. A happy consummation indeed from the Bureaucratic standpoint!

Mr. ANANDA MOHAN PODDAR: Sir, the system of representation that is going to be introduced in this country along with the constitutional reforms must have a lasting effect on the society and the country. The system of separate electorate introduced along with the Montagu-Chelmsford Reforms widened the difference between the Hindus and Moslems of this country. The shadows of the coming events, I mean the signs of the coming reforms, are again casting gloomy prospects. When the Premier's Award was announced, it threatened the whole Hindu community with disruption as a result of the depressed classes being offered separate electorate. So Mahatma

Gandhi undertook his epic fast and took a definite and daring stand against the award. He gained his point and the most objectionable feature of the award which threatened the Hindu society was modified. But the trouble did not end there and some new complications came in. The Poona Pact was made, but it was made under very peculiar atmosphere. The Hindus, both caste and depressed, were more anxious to save the life of the greatest living man of the world and they were not in a mood to calculate the loss or gain. The agreement was signed, the life of the Mahatma was saved, but it did not save the situation. The Pact did not satisfy all. Bengal in particular is groaning under its iniquity. While the Premier reserved 10 seats for the depressed classes in Bengal, by the Poona Pact it has been increased up to 30. It is because the Hindus of Bengal were not represented at Poona. Dr. Ambedkar, who piloted the ship of the depressed classes, is never conversant with the peculiar circumstances of Bengal. The case of Bengal is surely quite different from that of other provinces. There is practically no depressed class problem in this province. In Bengal you cannot draw a line between who is depressed and who is not. If the criterion of untouchability be applied, then only such castes as Methars, Doms and Muddafaras who do actual scavenging work could be legitimately included under the category of the depressed classes. The population of this small group is very low and it would be preposterous to allot the thirty Poona Pact seats to them. The Government of Bengal are well aware of this fact and they had to discard the criterion of untouchability. To avoid this awkward position they introduced the "scheduled castes" and applied the test of social and political backwardness to swell the number of electors who will be called upon to send these 30 representatives to the new Bengal Legislative Council. The situation thus created is unique. If the criterion of social and political backwardness be accepted as the determining factor for inclusion in the scheduled list, then it is only fair that the criterion should be uniformly followed in the case of every caste. It cannot be denied that in the orthodox Hindu society, especially in rural areas, there are to be met with many barriers to free social intercourse between castes and castes.

Sir, we know—the upper classes have the upper hand in all political activities—it is from the upper classes that the talents have hitherto been drawn for political leadership. It is true also that it is they who have so far supplied the more skilled and regular portion of the political army. So, if you apply the test of social and political backwardness as the determining factor for inclusion in the depressed class list, then you must include all the castes except the three upper castes—Brahmins, Baidyas and Kayasthas. According to this standard, these three castes are the only undepressed castes in Bengal and into the depressed class category must fall the whole of the Hindu population

numbering 2,22 lakhs with the exception of 15 lakhs Kayasthas, 14 lakhs Brahmins and 1 lakh Baidyas. But you cannot draw the line there. These upper castes, true to their traditions, do not claim any privilege from the Government. They occupy the exalted position not because they have been put in any privileged position in the society but simply because of the fact that education has made much greater headway among them than among the so-called lower classes. The sacrifice made by them is no small. The Calcutta University bears a good testimony to their great contribution in money and skill. And there is no political significance in it. It can hardly be contended that political interests of the socially inferior classes have ever suffered for reasons of their social inferiority. The upper class Hindu is never slow to recognise the talents of a political leader who hails from the lower strata of the society. Kristodas Pal was at the head of political life in Bengal for more than quarter of a century at a time when Bengal was more caste-ridden than at present.

Sir, it is too much to expect that any system of electoral scheme would reform the Hindu society. Most of the depressed classes in Bengal are well aware of this fact. It is for this reason that many castes who have been placed in the category of the depressed classes without their consent and, as a matter of fact, the communities whose names are in the list of scheduled castes are now most vociferous in protesting against the list—they are unwilling to put this inferiority stigma on their forehead to keep themselves alive with this artificial feeding for the sake of some temporary political gain. Take, for instance, my own community—the Sahas of Bengal. They are also backward—socially and politically. In the Government schedule they are not included as a depressed class. They resent as bitterly as the Namasudras against the social scaling which places them low down in the social ladder and shuts the door to their free social intercourse with the Brahmins and the Kayasthas. Politically too, they are as backward as any of the communities included in the list. You will find very few Sahas serving in Government offices or occupying any high position in the State. The chance of the Sahas to enter the legislature on a ticket other than the nationalist one is also very remote. So, if you are to safeguard the interests of the classes like Sahas, Subarnabaniks and Tilis, you are to include them in the scheduled list. But the situation in Bengal does not call for all these castes to be included in depressed class list.

Sir, take the case of the Namasudras again. They are to-day fairly advanced in education and in the learned professions and an adequate number of their representatives have been elected to the Legislative Council under the existing franchise. You can find a good number of Namasudras in the Government offices everywhere. Of course like other communities they occupy a lower position in the Hindu society.

But in Bengal where Sri Chaitanya preached his catholic religion and embraced the high and low with equal fervour and warmth, where the Brahmins, Baidyas and Kayasthas take the same *pershed* sitting in the same line with the Namasudras, Rajbangshis and others, there is hardly any justification for dividing the society into depressed and undepressed groups.

Sir, above all, there is the question of administration. We are clamouring for a better, a more democratic form of administration. We want that the new Government should be a Government of the people and for the people. We want that the new form of administration should bring about peace and harmony, prosperity and contentment to the people. But the system of representation proposed only drives a sense of despair into our hearts. Mere number can never run an administration. If the so-called depressed classes can produce good administrators and sound politicians, the whole Hindu community will be quite glad to hand over the administration to them—the upper classes will gladly stand aside to make room for them. Sir, in matters of administration and in politics, quality is the thing that counts, and quantity must make room for quality.

With these words, I wholeheartedly support the motion so ably moved by my esteemed friend Sj. Bannerjee.

Mr. MUKUNDA BEHARY MULLICK: Sir, I rise to record my emphatic protest against the resolution as moved, the language in which it is couched, the words and the feelings with which it is sought to be supported and the idea which prompted an action of this sort. I can only express my regret at the motive, which is behind a move of this nature. I regret this course also because at a time when every true well-wisher of the country must calmly try and reach a common understanding for the realisation of the common goal in the greater interests of the country itself, a move like this is set on foot, which—if it has any effect at all—will only help in widening the already existing gulf of differences and misunderstandings between the caste Hindus on the one hand and the depressed classes on the other.

Now, Sir, the resolution raises four different matters, namely, that in the opinion of the Council the Poona Pact for the representation of the depressed classes in the provincial legislatures is inapplicable to the peculiar circumstances of Bengal; in the second place, it is injurious to the interests of the Hindus; in the third place, it is subversive of their solidarity and in the fourth place, it does not fulfil the conditions for a substituted agreement as laid down in paragraph 4 of the Premier's decision on the communal question, and that, therefore, the Local Government is urged to move the Premier to revise the same and withdraw his acceptance. I am afraid my friend Babu Jitendralal Bannerjee has misused his emotional oration and has wasted a good deal of the time

of the Council over the matter. For, as used in this resolution, if he had only read and clearly understood the implications of that very paragraph 4 of the Premier's decision, he would never have brought forward a motion of this type in this House nor would he have asked for the permission or consent of the President and the Member of the Government to whose department it relates. That paragraph is clear enough that His Majesty's Government "will not be prepared to give consideration to any representation aimed at securing the modification of it which is not supported by all the parties affected".

I am afraid, Sir, I shall not have time enough to give a categorical reply to the various points raised in this debate. I hope, my purpose will be served if I give a general reply to the same; for there is no more pretension in anybody's mind now, as we know and understand one another and also the points of view very well and I do not think that any detailed examination of the question is at all necessary.

The term "Hindu" does not denote any homogeneous race. Of the various castes, coming under the generic term "Hindu", there is hardly anything in common between one another so far as their internal affairs are concerned. These people are called by this generic term because they all profess—though in their own special ways—Hindu religion and are governed by the Hindu Laws of Succession. But even with their internal differences there are certain castes which can be grouped together in consideration of their enjoyment of political and social privileges in common with one another. There has been this main line of distinction between the caste Hindus on the one side and the depressed classes of the Hindus on the other. The numerical strength of the former, according to the last census, is 9,464,708 and that of the latter is 9,490,803. When we find that the latter body forming the major portion of the Hindus in Bengal, do still feel that the Pact was rightly accepted by the Premier and also feel that they are bound by the same, another section possessed of the mentality and feelings like our esteemed friend, the mover, feel that it is against their interests, how then could it be said that there is any solidarity amongst the Bengali Hindus or any community of ideas, feelings or interests at all designed to be injured or subverted by the Pact. Our friend, lately a member of the Select Committee over the Public Security Bill, is very much conversant with all ideas of a subversive nature, but his application of the term in this case is very much out of place.

Before coming to deal with the other two matters raised in this resolution, it will not be improper to recall in brief as to how this Pact came into existence. This, as we all know, was practically the result of all that had happened at the Round Table Conference in London. So far as we know, representatives of various communities and interests were selected by the Government and perhaps the Local Governments were consulted in this matter of selection. The depressed classes had and do

have their implicit confidence in their representative, Dr. B. R. Ambedkar, M.A., Ph.D., D.Sc., Barrister-at-Law. But what did the other Hindus do? Instead of wasting our time over all that had taken place, may I ask the question, if instead of men like Sir Provash Chunder Mitter and Mr. Jatindra Nath Basu, people like our friend, the mover, or any one either in this House or from outside had been selected, would that have satisfied the representative character of the Bengalee Hindus? So also was at Poona. We know that there were men like Swami Satyananda of the Hindu Mission, Babu Haridas Mazumdar, M.A., B.L., of the Amrita Samaj, Babu Pramathanath Banerjea, ex-M.L.C., of Midnapore, Babu S. C. Das Gupta of the Khadi Pratisthan, besides men like Pandit Malavya, Sir Tej Bahadur Sapru, Mr M. R. Jayakar, Mr. Rajagopalcharia about whose representative character and about whose keenness to maintain the Hindu interests, no doubt has ever been cast up to date.

Now, Sir, it is unfortunate to recall how instead of reaching a common understanding for the true interests of the country, the Indian representatives acted at the Round Table Conference. It will not at all be pleasant to discuss in detail the part played by them in London. But the conclusion was that they could not agree on the fundamental issue on the communal problem and the matter was eventually referred to the arbitration of the Premier. We know the turmoil that was raised after this award was announced in August last year. Next came the move for its revision by the wonderful fast of Mr. Gandhi. Everybody knows that there was no invitation sent out to any one but those that felt keenly over the situation, then created, made it a point to attend the conference at Poona. Far from taking any exception to the proceedings or even to the conclusion then reached, the whole country signified, by various methods, its unequivocal assent to the same and of settling the matter at any cost. The settlement which was then reached was even ratified by the Hindus all over the country including Bengal. It took some time for the Home Government to come to their final decision on the question and when after due consideration the Home Government announced their acceptance, no objection was raised at all. We find now how various objections of a frivolous nature are now being raised. May we ask how the country will lose if arrangements are made for a proper representation of a large section of the people, whose interests were neglected so far and who are also natives of this country and further who claim India to be their motherland unlike those who maintain that they are Aryans and have come from the Arctic regions? What is the move behind all these attempts? We understand and feel where the shoe is actually pinching and we can only express our regret at the courses now adopted.

Now, Sir, one word about the number of seats reserved for the depressed classes in a joint electorate of the Hindus in general in Bengal. It is thirty. This was done as a result of a compromise between the

representatives who met at Poona. The number of the depressed classes in Bengal was not then definitely known as some of the people maintained that there were no depressed classes in Bengal. The census figures of 1921 as also the report of the Indian Statutory Commission showed that the depressed classes were 11·5 millions in Bengal. The Indian Franchise Committee thought that it would be 7·5 millions excluding the Rajbangshis; but including them the number is over 9 millions. That the problem of the depressed classes does exist in this province is beyond any dispute. The argument now advanced is too late in the day. Now what was done was this: that the proportion of the depressed classes in reference to the total population of the province of Bengal would justify them to have 27 seats, while their proportion to the total Hindus in Bengal would justify them to have more than 40 out of 80 general seats assigned to the Hindus of Bengal by the Premier's Award. And a compromise was reached in this that the depressed classes should be satisfied with 30 seats reserved for them in a joint electorate with the Hindus in Bengal.

Now I say only a word more as to why is this demand on behalf of the depressed classes all over the country? We have had very bitter experience in the past and we have felt it very keenly in these twelve years since the Reforms were inaugurated. We know the basis on which the last four elections and the bye-election were fought in Bengal. It is needless to recapitulate our experiences. We can only say this that our candidates had been practically nowhere. It is why His Excellency the Governor's special power of nomination was necessary to see that the interests of these large bodies of people were represented. So far as the few members of ours, who are here to-day, are concerned, it is well known that it was possible for them to get in when the Congress withdrew and there was no contest. Now as to the activities of the Council, it is needless again to discuss in detail as to how our requests have been treated by it. Whenever any little voice was raised, it was always thwarted or even gagged.

As I have indicated already, the apprehension that the interests of the Hindu society will be jeopardised if this reservation were conceded to the depressed classes, is without foundation. This reservation is sought only for political purposes and if Hindu society consisting of heterogenous elements were really united for other purposes, then a reservation like this cannot break its homogeneity. This reservation will serve only as a fencing round a growing plant in order to protect itself from the teeth and claws of the gnawing animals. Just as the fencing is absolutely redundant when the plant grows into a mighty tree, so the system of reservation can be dispensed with when the [illegible] classes will be on a footing of equality with the caste Hindus, who by virtue of their enjoyment of special rights, privileges and [illegible] for generations together have attained the present position and influence in society.

We do not for a moment believe that by mere accident of birth in a particular community, one is superior or inferior to another. Birth in a favoured community provides one with a favourable start in life, whereas birth in our communities marks one out for a perpetual handicap. We have declared war against this unnatural difference. If it were possible for us to bring the favoured communities to our level, they would then have realised our difficulties and they would then have been shamed into silence. As things are, we want to place the same atmosphere at the disposal of our children, which is now being enjoyed by the members of the favoured communities. We are convinced that given equal opportunities under equal conditions, one is good as the other.

In this connection I need only mention the word of hope indicated by the Secretary of State last year that favourable atmosphere would be created for the development of our manhood and that we would no longer be left at the mercy of the caste Hindus and we have been asked to believe in the sincerity of His Majesty's Government. We do believe in their sincerity and wait for the fulfilment of our legitimate aspirations.

It is apparent, I say once again, that this apprehension of the caste Hindus has no foundation in fact. But they are getting apprehensive from another point of view. They are now getting to realise actualities and when they are looking at the mirror of their past activities, they are finding their own images reflected thereon as to what they have done to their fellow countrymen since 1757, if not from before, and are only shuddering at the same with the idea that in case the depressed classes get a little political power, they may pay the former back in their own coin. It must be admitted that the depressed classes are no parties to this. This sort of false idea will again have no foundation, if only these caste Hindus really change their hearts and extend their goodwill to these people for removing all misapprehensions for the good of the country at large.

Regard being had to the present events and the feelings expressed here and elsewhere and also to the strong undercurrent of want of mutual confidence, I think I can agree with the mover in this that the Pact should be revised but that must be on other lines of the allocation of the seats in strict proportion to the numerical strength of each and that on the basis of separate electorates and not in joint electorate at all.

Lastly one word more about the opinion of the Council, which is sought for in this motion. I do not know what attitude the Government will take, for I maintain that it is not a matter for the Local Government and I think that they have acted unwisely in according their assent to the motion being discussed in this House. But I am sure, that in view of the language of the Premier's decision, the Local Government will not make themselves the laughing stock before the Home Government. We do not know also what attitude will our European, Muhammedan,

Christian and Anglo-Indian friends take in this matter. But we can safely leave it to their sense of justice and they will do what they think best.

I am definitely of opinion that it is entirely a matter for the Home Government on one side and the Hindus in general on the other. The vote of this Council, as at present constituted, will mean nothing. Our Hindu friends know this and we also know this. But before I resume my seat, I would only say that in a country where majority of the people cannot say that they have any share in the country's legislature or in its administration, to talk of responsible Government cannot be characterised as anything else than a mere dream.

With these words, Sir, I record my emphatic protest against the resolution.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, I have no desire to intervene in a domestic discussion of this kind. But it is incumbent upon me to state the position which Government is going to take up on this resolution. The last speaker has attacked me for giving my consent to this motion being moved. But I think it is evident to everybody in this Council that the members here are deeply interested in this Poona Pact and in the effect it may have on the future constitution of Bengal. I agree with a good deal of what Mr. J. L. Bannerjee has said, though I disagree very much with some of his remarks; and I am glad to see that he insists that this Poona Pact must not be considered by itself but in relation to what went before and that he drew attention to paragraph 4 of the Communal Decision. It is perfectly clear from paragraph 4 of the Communal Decision that what His Majesty's Government was insisting upon was mutual agreement on a scheme that was practicable. There is nothing in paragraph 4 of the Communal Decision which would justify any one in saying that His Majesty's Government were to be satisfied regarding the merits of any agreed scheme that was put forward. The Communal Decision was issued, as Mr. Bannerjee has pointed out, because unfortunately the people in this country were not able to come to an agreement on various points which had to be settled before any progress could be made with further constitutional schemes. His Majesty's Government, therefore, decided to issue their decision on some of these points. I hope to deal later with the extraordinary statement of Mr. Bannerjee, which, I hope, I have misunderstood, that the distribution of seats for the provincial Councils should have been left to the provinces. However, they issued the Communal Decision but they left the door open by saying that if the people concerned could arrive at an agreed settlement which was practicable, they undertook to insert it in their scheme in place of their original decision. So it is in terms of paragraph 4 of the Decision that the Poona Pact must be considered. The Poona Pact deals with the problem of the depressed classes and paragraph 9 of the

Communal Decision dealt with that too. It stated how representatives should be elected and it also stated the number of representatives in each province, with one exception, and that exception was Bengal. As regards Bengal, it stated "in Bengal it seems possible that in some general constituencies a majority of the voters will belong to the depressed classes. Accordingly, pending further investigation, no number has been fixed for the members to be returned from the special depressed class constituencies in that province. It is intended to secure that the depressed classes should obtain not less than 10 seats in the Bengal Legislature".

Obviously, therefore, if the settlement had been left to His Majesty's Government, the number of seats allotted to the depressed classes in Bengal would have been somewhere in the neighbourhood of 10. But the decision was taken out of their hands by the Poona Pact. Now, Mr. Bannerjee has given an account of the circumstances under which the Poona Pact was arrived at, and he is much better acquainted with those circumstances than I can be, because I happened to be on leave when the negotiations connected with that Pact were going on. But I think I am right in saying that when the Poona Pact was under consideration, all Hindu feeling was unanimous in desiring that some agreement should be come to. I admit that Mr. Poddar may be right when he said that the leaders were blind to their own interests in order to save the life of Mr. Gandhi, without realising the results of their action. But I do not think any one can deny that Hindu opinion was unanimous in desiring that an agreement should be come to. The Hindu newspapers were unanimous in urging it on Government and saying that if there is an agreement, the Prime Minister ought to accept it. I think that is a correct statement of what happened before the Pact was made. Then when the agreement was published, there was the same chorus of approval and from all sides the Prime Minister was pressed to accept it. The Prime Minister acted as he promised and on behalf of His Majesty's Government he accepted the agreement. I think this is a correct statement of what went on, though I have no personal knowledge about the matter, because as I have already said, that I was at home at that time. When I saw the Pact, I told people at home that there would be a howl from Bengal. There was, however, no howl from Bengal (Mr. P. N. GUHA: The Pact was accepted within 24 hours.) Whatever the time was, Hindu public opinion in Bengal as expressed through newspapers or in public urged and acclaimed the acceptance of the agreement. No one in public opposed this agreement, whatever their private opinion was. I am not saying that the situation was easy. What I am saying is that I believe I have given a correct statement of facts.

As regards Mr. Bannerjee's remarks about depressed classes, I can give the Council a dissertation on this question of depressed classes if they like, but I do not think that it will be relevant. What is relevant

is that Mr. Bannerjee said that this Pact was the first legislative provision which recognised the depressed classes. (A VOICE: For all the provinces.) I do not know about that, but the statement is certainly not correct as far as Bengal is concerned. For section 72A of the present Government of India Act provides for the nomination of members and it also provides for rules for nomination of members. The rules made under that section provide especially for the presence of a member in the Bengal Council to represent the classes which, in the opinion of the Governor, are depressed classes. There was, therefore, by rules previous recognition of the classes which then were known to be depressed classes. Even if it was for recognition by nomination, not election.

I have already stated what I believe was the position when this Pact was accepted by Government and substituted for the Communal Decision and it is these facts which have got to be taken into consideration in dealing with this resolution, which among other things proposes that the Prime Minister should be pleased to revise, and withdraw his acceptance of, the Pact, so far as this province is concerned. In my opinion, it was Mr. Amulyadhan Ray who in his speech indicated the correct line. The correct line is to proceed again on the lines of paragraph 4 of the Communal Decision and to endeavour to arrive at an agreed scheme which can be substituted for the Pact. In our opinion, it is entirely wrong to proceed on the line of asking the Prime Minister to undo what he has already done. The proper line to take is for the Hindus of Bengal, whatever class they may belong to, to get together and endeavour to hammer out an agreed scheme which they can submit to the Prime Minister for substitution in place of the existing one. Under the Communal Decision the agreed scheme may be for all-India or it may concern one or two provinces. There is nothing in the Communal Decision which makes it impossible for the Hindus of Bengal to get together and formulate a scheme and that is the line which, we think, the Hindus of Bengal should take. They should not pass a resolution asking the Prime Minister to take action. The action to be taken must come from themselves. Government cannot take the initiative, but we will do what we can to help if you desire our help. But it is for you to commence, and I would make an appeal to the Hindus of Bengal to consider the position. The White Paper is coming out shortly. The Select Committee will sit at not too distant a future and the materials on which the Bill for the future Government of this country is going to be fashioned will be examined during the next two or three months. Cannot the Hindus of Bengal recognise facts before, as Mr. Bannerjee remarked, it is too late? Cannot they get together and bring forward an approved scheme? Mutual recrimination and discussion of the attitude of one section towards another will not help in the matter. What we want is co-operation between all you Hindus. It is only you Hindus who can find a solution of the present discontent by submitting a scheme on which you are

agreed and which is practicable. In the circumstances, Government will not vote on this motion—they will leave it to the Council.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I will not attempt to follow the points of the admirable forensic speech delivered by the mover of the resolution, nor into the arguments advanced by the Hon'ble Mr. Prentice against the position which the mover has taken, *viz.*, that the acceptance of the Poona Pact by the Prime Minister did not comply with the provisions of paragraph 4 of the Communal Award. I do not think any one will be convinced by the answer which has been given by the Hon'ble Mr. Prentice to the arguments of Mr. Bannerjee. The question raised by Mr. Bannerjee is not whether there was after the Poona Pact any protest from the people concerned, but whether the Poona Pact itself satisfied the conditions laid down in the Prime Minister's Award; and to that Mr. Bannerjee or any other speaker has not been able to advance any answer. There cannot be such a thing as an agreement by default. If there is an agreement, it is an agreement or nothing else. Therefore, Sir, so far as the position taken up by Mr. Bannerjee is concerned, I think it is unassailable, but to me the whole question seems to be insignificant in importance. Whether the Poona Pact complied with the condition of the Prime Minister's Award or not, whether it has been accepted by the Prime Minister or not, I consider it to be of the least importance. The question is whether it is good in the interests of the country at large, not of the caste Hindus only but of the country at large. That is the sole test that we have always applied to the discussion of public interests, and judged by that test the Poona Pact and the Communal Award and the whole lot of them are unassailable. The Poona Pact is only the coping stone of the monument of folly that is being raised in the name of nationalism. It is dividing the country against itself not on any natural lines, not on any scientific lines, not on the lines of division of political interests, but on lines based on facts which are several centuries old. Sir, it has been suggested by Mr. Amulyadhan Ray in answer to some of the arguments of Mr. Bannerjee that the Namasudras and the other depressed classes do form a class in spite of the differences between them inasmuch as their interests are the same. I am sorry that Mr. Ray did not follow out the arguments and work them out in detail. Where is the community of interests? I do admit that there is a community of interests; but if Mr. Ray had analysed the community of interests, he would have found that it lay not in their belonging to any caste, not to any social advantages or disadvantages, but it lay in the fact that the different classes constituted a definite economic class. The real division between the people which is of any importance for political purposes is a division into the two fundamental economic classes, *viz.*, the exploiter and the exploited. If he had followed it out on these lines, he would have seen that it is not the Namasudra

or the Mehter or the Muchi who is exploited, nor is the Brahmin, the Baidya or the Kayastha who is always in the clan of exploiter—the real distinction he would have hit upon and if that were so, I should have expected to come forward boldly and take his stand from the community of the exploited and ask for the preservation of the rights of the exploited classes. That he is not prepared to do—not a voice has been raised in favour of the real exploited which include Hindus, Muhammadans, Brahmins, Baidyas, Christians, Namasudras and everybody else. I should have understood a classification of people on economic basis and I should have been very glad to support a great offensive on the part of the poor and the exploited against the real exploiters and I should have, from that point of view, thought that the reservation of 30 seats would be wholly inadequate for the purpose of giving them any protection. What can 30 members in an Assembly of 250 do? They can do nothing for the community if the majority is hostile. All that they can do is to keep their places warm and hob-nob with the high and mighty. That is not a thing for which representation should be given to the members of Council. If they really want to benefit their community, it is not 30 seats in Council in a Council of 250, but a definite majority for the poor and exploited—that they should have asked for and insisted upon; but they are not anxious about that. Neither the Namasudras, nor the Rajbangshis, nor the depressed classes, nor the Muhammadans are anxious to go on these lines; they are not really interested in their classes in whose name they waste their eloquence in this Council. If they were, they would throw the Communal Award into scraps this moment and come out for a different franchise altogether. I have not yet heard a breath in favour of that either in public or in private. I oppose the Poona Pact not on the narrow ground that it is not founded on agreement, not on the ground that it has divided the Hindus amongst themselves, but because it is part and parcel of a whole scheme which is rotten to the core.

Maulvi ABUL KASEM: Sir, the question before the House is one in which we are not directly interested; and if I rise to address the House, it is to a very large extent due to my sense of responsibility about expressing my opinion upon it and greatly to the speech of my friend, Dr. Sen Gupta. He has very eloquently put down that the real point of difference which ought to have been raised is economic division between the peoples of India and he has said that the Muslims, the Namasudras, the Rajbangshis and the sweepers and others, all classed together, have never raised that point directly, but they have asked for separate electorates and separate representation on the ground of personal interests of the elected few.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I never said that.

Maulvi ABUL KASEM: He has said "for their own advantage for the purpose of hobnobbing with the officials".

Dr. NARESH CHANDRA SEN GUPTA: Sir, on a point of personal explanation, may I repeat what I said? All that I said was that 30 seats on this Council were not required for purposes like that but for representing the interests of that community and these seats would not give any benefit to the community.

Maulvi ABUL KASEM: He is right when he says that there should be two classes only, *viz.*, the exploited and the exploiters. I agree with him in that respect. I want to tell him that although the exploiters are not entirely confined to the caste Hindus, if truth must be told, it must be said that the bulk of them belong to that community, and it is because of this exploitation that the Muhammadans and the depressed classes whom he has mentioned have been moved to demand special representation.

Now, Sir, it was said by Mr. Bannerjee that it is never too late to right a wrong. Therefore the question of his being late in bringing forward this resolution does not arise. It was only yesterday that Mr. Bannerjee with all the eloquence that he could command said that the Bengal Local Self-Government (Amendment) Bill was published in the *Calcutta Gazette* and if there had been any person who objected to it, he ought to have come forward——

Babu JITENDRALAL BANNERJEE: Sir, I never made any statement to that effect. It is absolutely unfounded and inaccurate. I think Mr. Kasem's memory is playing him false.

Maulvi ABUL KASEM: Sir, I stand corrected. I think it was Mr. N. K. Basu who said that the Bill was published in the *Calcutta Gazette* and as there was no objection from any one, it must be taken that there was no protest. I submit, Sir, that the Poona Pact was published and before the Prime Minister had confirmed it—it was not confirmed till about a month later—it was published in every vernacular paper in India. It was published by all the Nationalist papers—the *Forward*, the *Backward*, the *Bombay Chronicle*, etc., and there was not a single word of protest against that Pact at the time. The Nationalist Press all in one voice supported it. There was a dramatic situation created. Mr. Gandhi, who is accepted as a Mahatma, went into fast and it was an attempt to commit suicide. To save his life his friends and admirers came to an agreement, but that agreement was not immediately arrived at. The representative of the depressed classes, Dr. Ambedkar, would not submit hand and foot and there was some delay in arriving at an

agreement. Meetings were held and, as pointed out by Mr. Mukunda Behary Mullick, distinguished representatives of the Hindus met and decided in favour of the Pact. Therefore it is but fair that after Mr. Gandhi has broken his fast—he was about to lose his life—for the caste Hindus to come out and say that they do not abide by the Pact. Sir, one word more about Mr. Bannerjee's statement. He has said that the real object of Mr. Gandhi was to bring about a solidarity amongst the Hindus.

One word more about Mr. J. L. Bannerjee's statement. He says the real object of Mr. Gandhi was to bring about a solidarity among the Hindus. I differ from him in that; my reading of the situation is that Mr. Gandhi really wanted to see that the Muhammadans and the depressed classes did not join hands, and he wanted to bring the depressed classes under some sort of control of the caste Hindus, and the only way he could do it, was to place them at the mercy of the Hindus. That was his object and that is what is sought to be done. It has been said that it perpetuates separate electorates. That is not so. True it is that by some jugglery it has been said that the Namasudras or the depressed classes will elect a panel of 4 or 5 men from their large number. I submit that under that condition the man, the least popular among the depressed classes, will be elected, that is, from these 4 he will have 25 per cent. of the votes. But the caste Hindus will be able to elect a man who will have the support of 75 per cent. of their number. It is unfair to decide a question like this judging from the state of things in the present House consisting of Europeans, Muhammadans, depressed classes and others. We have heard a lot in Press and on the platform about nationalism, the depressed state of the country, the poor condition of India and the Motherland being dragged into every political controversy, but I submit that the real solidarity of India can be maintained to-morrow if the caste Hindus will only give up their communalism and narrow outlook. To have nationalism is really to bow down to the will of the caste Hindus who do not recognise and cannot tolerate the existence of any other people in the body politic of India. Had they been more tolerant, more liberal and more considerate about the interests of other communities, the question of separate electorates, the question of communal representation and many other questions of this character would have never arisen at all. If the depressed classes and other communities ask for separate representation, it is because they have been goaded to it by the treatment, the unjust and unfair treatment they have received at the hands of the caste Hindus.

Rai Bahadur Dr. HARIDHAN DUTT: I move that the question be now put.

The closure motion was put and agreed to.

The resolution of Mr. J. L. Bannerjee was then put and a division taken with the following result:—

AYES.

Banerji, Mr. P.
Banerjee, Babu Jitendrabal.
Basu, Babu Jadindra Nath.
Basu, Mr. Narendra Kumar.
Basu, Mr. S. N.
Chaudhuri, Babu Khaderi Mohan.
Chaudhuri, Dr. Jogendra Chandra.
Das, Rai Bahadur Kamini Kumar.
Das, Rai Bahadur Satyendra Kumar.
Dutt, Rai Bahadur Dr. Haridhan.
Goenka, Rai Bahadur Badridas.
Ghosh, Babu Prafulla Kumar.
Guha, Mr. R. N.
Law, Mr. Surendra Nath.
Maiti, Mr. R.
Mitra, Babu Sarat Chandra.
Mookherjee, Mr. Syamaprasad.
Mukherji, Rai Bahadur Satish Chandra.
Nag, Babu Bok Lal.
Nag, Reverend B. A.
Nandy, Maharaja Sris Chandra of Kasimbazar.
Poddar, Mr. Ananda Mohan.
Rai Mahasai, Manindra Deb.
Ray, Babu Khetter Mohan.
Ray, Mr. Shanti Shekhareswar.
Ray Chaudhury, Mr. K. C.
Rout, Babu Hemai.
Roy, Babu Haribansa.
Roy, Babu Jitendra Nath.
Roy, Mr. Saileswar Singh.
Roy, Mr. Sarat Kumar.
Roy Choudhuri, Babu Nem Chandra.
Samad, Maulvi Abdus.
Sen, Rai Bahadur Jogesh Chandra.
Sen Gupta, Dr. Naresh Chandra.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.

NOES.

Ali, Maulvi Syed Nasher.
Baksh, Maulvi Syed Majid.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Sarat Chandra.
Barma, Rai Sahib Panchanan.
Chaudhuri, Khan Bahadur Maulvi Aliamzzaman.
Chaudhuri, Khan Bahadur Maulvi Nafizur Rahman.
Choudhury, Maulvi Nurul Absar.
Chowdhury, Maulvi Abdul Ghani.
Kasemji, Maulvi Nur Rahman Khan.
Partullah, Maulvi Muhammad.
Hakim, Maulvi Abdul.
Hussain, Nawab Musharraf, Khan Bahadur.
Kasem, Maulvi Abul.
Khan, Khan Bahadur Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Momin, Khan Bahadur Muhammad Abdul.
Mallick, Mr. Mukunda Behary.
Qasem, Maulvi Abul.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F. M. Abdur.
Ray, Babu Amulyadhan.
Ray, Babu Nagendra Narayan.
Sarkar, Rai Sahib Rebati Mohan.
Sen, Rai Sahib Akshoy Kumar.
Sulaiman, Maulvi Muhammad.
Suhrawardy, Mr. H. S.

The Ayes being 36 and the Noes 27, the resolution was carried.

Adjournment.

The Council was then adjourned till 3 p.m. on Wednesday, the 15th March, 1933, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Chamber in the Council House, Calcutta, on Wednesday, the 15th March, 1933, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 99 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Holding of State lotteries.

*54. **Mr. W. L. ARMSTRONG:** (a) Will the Hon'ble Member in charge of the Political Department be pleased to state whether Government have under consideration the institution of annual lotteries with the object of devoting the excess proceeds to the maintenance and extension of hospitals in Bengal?

(b) Is the Hon'ble Member aware—

(i) that even with the Government grants and voluntary public contributions, hospitals are still short of funds;

(ii) that hospital accommodation in this Province is quite inadequate to meet numerous applications for admission; and

(iii) that very large sums of money leave Bengal annually for the purchase of tickets in the Irish Hospitals Free State Sweepstakes?

(c) Will the Hon'ble Member be pleased to state whether it is a fact that the Calcutta Town Hall was built from the proceeds of a lottery?

(d) If the answer to (a) is in the negative, are the Government considering the desirability of immediately holding such lotteries?

(e) If the answer to (b) is in the affirmative and the answer to (d) in the negative, will the Hon'ble Member be pleased to state what proposals, if any, Government intend to make by way of providing funds for the maintenance, extension and efficiency of hospitals in the Province?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) No.

(b) (*i*) Yes.

(*ii*) This is true of Calcutta.

(*iii*) Government have no information on this subject.

(*c*) Yes.

(*d*) No.

(*e*) The provision of funds for the maintenance, extension and improvement of hospitals must depend on the general financial position of the Province.

Rai Bahadur Dr. HARIDHAN DUTT: Will the Hon'ble Member be pleased to state whether there is any probable chance of the financial position improving within the next five years?

The Hon'ble Mr. W. D. R. PRENTICE: We are all optimistic, I think.

Rai Bahadur Dr. HARIDHAN DUTT: Will the Hon'ble Member be pleased to state whether disease and misery can wait for the improvement of the financial position?

The Hon'ble Mr. W. D. R. PRENTICE: I have not said so.

Mr. W. L. ARMSTRONG: Will the Hon'ble Member be pleased to state whether the Government would have any objection to a lottery being organised under an influential committee purely for the benefit of the hospitals?

The Hon'ble Mr. W. D. R. PRENTICE: Yes.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state the nature of the objections?

The Hon'ble Mr. W. D. R. PRENTICE: Lotteries are illegal.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether there is anything that prevents Government from having the law altered?

The Hon'ble Mr. W. D. R. PRENTICE: I think it is the Indian Penal Code—is it not—which is an India Act.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether the Bengal Government cannot obtain sanction of the Government of India for the purpose of this change in the law?

The Hon'ble Mr. W. D. R. PRENTICE: It is a question of policy which the Government have not yet considered.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether it is anything else but sanctimoniousness which stands in the way?

The Hon'ble Mr. W. D. R. PRENTICE: That is a matter of opinion.

Dr. NARESH CHANDRA SEN GUPTA: Is it not a fact that under the existing law Government have got the power to license certain lotteries?

The Hon'ble Mr. W. D. R. PRENTICE: That is so.

Dr. NARESH CHANDRA SEN GUPTA: Does the Government contemplate licensing any such lotteries?

The Hon'ble Mr. W. D. R. PRENTICE: I have already said, no.

Platform at the Azimganj City station.

*55. **Maulvi ABDUS SAMAD:** (*a*) Is the Hon'ble Member in charge of the Public Works (Railways) Department aware that a platform has recently been constructed at the Azimganj City station on the East Indian Railway Loop Line, known as the Bandel-Barharwa Line?

(*b*) Will the Hon'ble Member be pleased to state whether it is in the contemplation of the Railway authorities to construct, in the near future, similar platforms at other important stations on the same line, especially at the Khagraghat Road station?

(*c*) Is the Hon'ble Member aware that the said Khagraghat Road station, from the points of traffic and income, is the most important of all the stations on the said line?

(*d*) Is the Hon'ble Member aware that the want of platforms at the Khagraghat Road, Salar, Jangipur Road and Dhulian Ganges stations is causing inconvenience to the travelling public and that repeated public representations on the subject have received no consideration at the hands of the Railway authorities?

(e) Is it a fact that the Azimganj City station is going shortly to be dismantled on economic and other grounds?

(f) If the answer to (e) is in the affirmative, why has a platform been constructed there in preference to other important stations referred to in (d)?

MEMBER in charge of PUBLIC WORKS (RAILWAYS) DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (a) A rail-level platform with palisading on the station side is being provided at the Azimganj City station.

(b) Yes, if funds are available. It is proposed to provide a second rail-level platform at the Khagraghat Road station during the next financial year.

(c) No.

(d) Passengers do sometimes suffer inconvenience for want of suitable platforms when trains cross. Their representations for second platforms at Khagraghat Road, Salar, Jangipur Road and Dhulian Ganges stations have received due consideration along with similar representations for other works on the Railway, but it has not yet been possible to meet the demands for want of funds. A second platform is, however, being provided at Khagraghat Road and at Salar in the next financial year.

(e) No.

(f) Does not arise.

Bengal Census Report, 1931.

*58. **Mr. S. C. CHATTERJEE:** Will the Hon'ble Member in charge of the Revenue (Census) Department be pleased to state—

(i) when the Census Superintendent, Mr. Porter, I.C.S., went on leave;

(ii) whether, before going on leave, he completed the manuscript of Part I of the Bengal Census Report, 1931;

(iii) why the publication of Part I of the Bengal Census Report, 1931, has been so long delayed;

(iv) when Part II of the above Report was published;

(v) why the Bengal Census Office is being still retained;

(vi) what is the average monthly expenditure of the Bengal Census Office; and

(vii) for how long it is proposed to continue this office?

MEMBER in charge of REVENUE (CENSUS) DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Chuznavi): (*i*) On the 21st October, 1932.

(*ii*) Yes.

(*iii*) Owing to the time required for printing and proof reading.

(*iv*) In the first week of January, 1933.

(*v*) In order to see Part I of the Bengal Report and Parts I and II of the Calcutta Report through the Press and also for the preparation of certain statements for the Administrative Report.

(*vi*) The average monthly expenditure of the Bengal Census Office is about Rs. 300 and the pay and allowance of the officer in charge amount to Rs. 525. The cost is paid by the Government of India.

(*vii*) The office was closed on 28th February, 1933.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state that the prices of these publications are absolutely prohibitive?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: No.

Mr. NARENDRA KUMAR BASU: Is the Hon'ble Member aware what the prices are?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: I should like to be enlightened.

Mr. NARENDRA KUMAR BASU: Is there any justification for the Hon'ble Member saying in reply to the supplementary question that prices are not prohibitive?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: Not knowing what the amount was, I think I was justified.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to consider the question of reducing the prices, that is to say, making the prices such that people may purchase them?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: But I am afraid that lies within the purview of the Finance Department.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to move the Finance Department for a reduction?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: That I will do with pleasure.

Mr. S. M. BOSE: With regard to answer (*iii*) when is Part I likely to be out?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I hope by the end of this month.

Declaration of moratorium.

*57. **Khan Bahadur Maulvi MUAZZAM ALI KHAN:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether the Government have received a large number of representations from various parts of Bengal requesting the Government to declare a moratorium owing to the indebtedness of the agriculturists?

(*b*) If the answer to (*a*) is in the affirmative, are the Government contemplating taking any action in the matter?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Some representations have been received from Mymensingh, Noakhali, Tippera, Faridpur, Pabna and Rangpur.

(*b*) They are giving anxious consideration to general economic conditions in the Province but are not at present inclined to the view that it is either practicable or desirable to take steps to have a moratorium declared.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state what step Government is contemplating to take in order to meet the indebtedness of the agriculturists?

The Hon'ble Mr. W. D. R. PRENTICE: That is a very large question and I am afraid I cannot give any answer off-hand.

Khan Bahadur Maulvi AZIZUL HAQUE: Is the Hon'ble Member aware that in the Punjab a committee has been appointed with a view to tackle this indebtedness problem?

The Hon'ble Mr. W. D. R. PRENTICE: I am not aware.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state whether any step has been taken in other provinces?

The Hon'ble Mr. W. D. R. PRENTICE: I am sorry I do not know.

Khan Bahadur Maulvi AZIZUL HAQUE: In view of that will the Hon'ble Member find out as to what other provinces are doing with regard to this matter and whether this Government would do something on the lines of the other provinces?

The Hon'ble Mr. W. D. R. PRENTICE: If you refer to answer (*b*) you will see that we are considering the general economic condition very carefully.

Khan Bahadur Maulvi AZIZUL HAQUE: My point is—what actual steps are the Government going to take in order to meet the indebtedness problem?

The Hon'ble Mr. W. D. R. PRENTICE: Well, there is a Bill of your own in the Council and there is another under examination. But, of course, I am dealing with this question as the Member in charge of Judicial Department from the aspect of legislation. The general economic question is not within my province.

Khan Bahadur Maulvi AZIZUL HAQUE: In whose province is it?

The Hon'ble Mr. W. D. R. PRENTICE: I think it is mostly under the province of the Revenue Department, otherwise Agriculture and Industries. I know there is some disagreement about it. (Laughter.)

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware that some of the advanced countries for instance, America, have declared a moratorium in order to meet their financial stress?

The Hon'ble Mr. W. D. R. PRENTICE: I do not know what is happening in America; but from what I could gather from the newspapers, the moratorium declared in America is nothing like the moratorium asked for in this question.

Dr. NARESH CHANDRA SEN GUPTA: With reference to answer (*b*), will the Hon'ble Member be pleased to state whether Government are considering among other things the question of having a scheme for adjustment and compensation?

The Hon'ble Mr. W. D. R. PRENTICE: That is one of the schemes for legislation which is under examination.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether the Government have invited the opinion of district officers as to the desirability of declaring a moratorium?

The Hon'ble Mr. W. D. R. PRENTICE: No.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state if the Government have asked for any information from the district officers as to what steps should be taken to relieve the general economic condition?

The Hon'ble Mr. W. D. R. PRENTICE: My trouble is that I am only dealing with letters regarding legislative proposals. Certain letters have gone out from my department regarding Bills before the Council; other letters may have gone out from other departments, but I cannot say.

Maulvi HASSAN ALI: Will the Hon'ble Member be pleased to state what may be the ground for which he considers that it is not practicable or desirable to declare a moratorium?

The Hon'ble Mr. W. D. R. PRENTICE: There is the Limitation Act which has got to be amended and it is a Government of India Act and therefore the first question is to get the Government of India to agree to it. Secondly, a moratorium is a two-edged thing and there is a considerable school of thought which holds that it is better to deal with debts as they are rather than postpone payment.

Babu JITENDRALAL BANNERJEE: Has the attention of the Hon'ble Member been drawn to the adjustment Bill which has been introduced in the Central Provinces Legislative Council?

The Hon'ble Mr. W. D. R. PRENTICE: Yes, it has been passed.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Deputy Magistrate, Rangpur, and the Bar.

48. Babu NAGENDRA NARAYAN RAY: Is the Hon'ble Member in charge of the Appointment Department aware—

(i) of a feeling that exists between Mr. A. R. Khan, Deputy Magistrate, Rangpur, and the Bar;

(ii) that a feeling exists that this is due to the insults by the Bench to the members of the Bar who appeared before the said Deputy Magistrate; and

(iii) that on one occasion he stopped a lawyer while cross-examining a witness with the remark "Speed up. I am not concerned with justice. I shall finish this case to-day"?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*i*) and (*ii*) Government have no reason to believe that the feeling that exists between Mr. Khan and the local Bar is anything but cordial.

(*iii*) This is not a fact.

Complaint against the tahsildar of Pukurdia cutchery, Bose's Wards' estate, Noakhali.

47. Maulvi MUHAMMAD FAZLULLAH: (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether any representation or complaint has been received by the District Magistrate of Noakhali against Babu Sailendra Nath Bose, tahsildar of Pukurdia *cutchery*, under the Bose's Wards' estate, making some allegations of oppression upon the poor tenants?

(*b*) If the answer to (*a*) is in the affirmative, what was the nature of complaint and what steps have been taken in the matter?

(*c*) Is it a fact that the case was enquired into by the present Manager of that estate?

(*d*) Are the Government considering the desirability of arranging an enquiry by an officer other than the Manager of the said wards' estate?

(*e*) Are the Government aware of similar oppressions of the tenants and debtors by the landlords and money-lenders in other estates under the Court of Wards?

(*f*) If the answer to (*e*) is in the negative, are the Government considering the desirability of holding an enquiry into the matter?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) Yes. A petition was submitted by one tenant on 12th November, 1932.

(*b*), (*c*) and (*d*) The allegation was that the *tahsildar* in realising arrear rent realised more than the amount actually due. The matter was inquired into by the Joint Manager, who reported the allegation to be false. The Collector subsequently held a local enquiry himself with substantially the same result.

(*e*) No such report has been received.

(*f*) No.

Détenu Babu Subimal Chandra Sarkar.

48. Babu KISHORI MOHAN CHAUDHURI: (*a*) Is the Hon'ble Member in charge of the Political Department aware—

(*i*) that Babu Subimal Chandra Sarkar, B.Sc. (Engr.), son of Babu Prokash Chandra Sarkar, Public Works Department contractor at Rajshahi, was arrested at Rajshahi under section 4 of the Bengal Criminal Law Amendment Act.

(*ii*) that he was the mainstay of the family and that he used to contribute Rs. 150 per month to his aged and invalid father (including the educational expenses of his two minor brothers) and Rs. 10 to each of his dependent sisters;

(*iii*) that no allowance has been granted to his father under section 12 of the said Act;

(*iv*) that an application for the grant of an allowance was duly made to the authorities;

(*v*) that no interview has been granted to his father, in spite of several applications since 10th December, 1932;

(*vi*) that such interviews are generally given twice a month at the interval of 15 days;

(*vii*) that almost all letters to and from the said détenu are usually delayed and that sometimes letters reach from the local jail to his friends and relatives at Rajshahi even after 15 days or more;

(*viii*) that the said détenu was offered the post of Shift Engineer under Public Works Department (Lahore Hydro-electric branch) soon after his arrest; and

(*ix*) that he offered his voluntary service (*i.e.*, without any remuneration) to Government last year when he was asked by the Public Works Department at Rajshahi to inspect the oil-engine and pump which went out of order at the Sarda Police Training College?

(*b*) If the answers to (*a*) are in the affirmative, will the Hon'ble Member be pleased to state whether the Government are prepared to consider the desirability—

(*i*) of re-examining the records of this particular case in view of his past services to Government; and

(*ii*) of releasing him at once?

(c) If the answer to (b) is in the negative, are the Government considering the desirability of—

(i) reconsidering his prayer for a monthly allowance of Rs. 150 to his old parents and payment of life insurance premium during the period of his detention; and

(ii) of supplying him with all the necessary expenses for purchasing engineering books, etc., for preparing himself for a higher degree examination?

(d) Are the Government also considering the desirability of granting the number of interviews and letters every month as usual under the rules?

(e) Has there been any restriction of interviews and letters since 10th December, 1932?

The Hon'ble Mr. W. D. R. PRENTICE: (a) (i) Yes.

(a) (ii), (iii), (iv), (v), (vi), (vii), (b), (c), (d) and (e) Government are not prepared to furnish information on these matters.

(a) (viii) and (ix) Government have no information.

Babu KISHORI MOHAN CHAUDHURI: Will the Hon'ble Member be pleased to state what are the reasons for the Hon'ble Member not being prepared to furnish information on the points asked for?

The Hon'ble Mr. W. D. R. PRENTICE: It was stated in previous answers that these matters are dealt with confidentially and it is not the practice of Government to give information.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state if it is the intention of Government to deny facilities to these détenus to ventilate their grievances in this House?

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice of that question.

Budget Grants of the Government of Bengal for 1933-34.

DEMANDS FOR GRANT.

5—Land Revenue.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, before I move the demand that stands in my name, may I have your permission to move the motion in a slightly amended form, that is to say, instead of Rs. 38,44,000 as stands in the civil estimate, I am able to move for a smaller sum, namely, Rs. 37,94,000 in view of certain retrenchments that we have been able to effect in the meantime. Have I your leave, Sir?

Mr. PRESIDENT: Yes.

The Hon'ble Sir PROVASH CHUNDER MITTER: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 37,94,000 be granted for expenditure under the head "5—Land Revenue". I am sure members of the Council who take an interest in the Land Revenue budget have studied the civil budget estimate and other connected papers which have been circulated.

In this department we have followed a steady policy of retrenchment and of avoiding expenditure which is not very essential or immediately remunerative. The actuals of 1930-31 including non-voted items were Rs. 45,37,000. The present budget estimate including non-voted items amount to 40·23 lakhs and is thus Rs. 5,14,000, less than the actuals for 1930-31. Although not strictly arising on this grant but which has a bearing on it I may state that in our estimate of original works, we have provided only Rs. 3,000 for the year 1933-34 as against a total expenditure of Rs. 92,000 up to the 31st March 1932. This will show that we have in this department always tried to keep down expenditure as far as possible.

In view of the policy of strict economy which has been pursued and in view of the amendments that may be discussed, covering many activities of this department, I do not propose to take up the time of the Council by referring to the details of the budget estimate at this stage. I find, however, that there are a number of budget cuts about road cess and the valuation and revaluation establishment of the Road Cess Department. I may, therefore, draw the attention of the House to the

fact that the reduced budget provision of only Rs. 77,200 as against a budget provision of Rs. 1,38,995 for 1932-33 and a revised estimate of Rs. 1,35,200 for the last year, is due to a policy of stopping the re-assessment of road cess and public works cess in new districts, that is to say, in districts where previously it has not been undertaken, and of slowing down the activities of the Road Cess Department as far as is possible in districts where re-assessment was taken up before the economic depression broke out. This reduced provision will, I hope, give a clear indication to the members of the Council that Government are fully alive to the difficulties of the situation created by the present unfortunate economic depression. While on the one hand it is necessary that the activities of district boards should go on, on the other it is equally necessary that in providing for such activities we should take into consideration the position created by the economic depression. I do not desire to dilate on this point in the course of these preliminary observations of mine, as members of this House will have an opportunity at a later stage of placing their view-points with regard to the road cess administration, and I shall have an opportunity also of explaining Government's policy, as also the steps which Government have taken in this connection. But I can tell the House that as at present advised, and unless we get advice to the contrary, it is not intended to take up revision of road cess and public works cess in any new district during the year 1933-34.

I have nothing further to say by way of preliminary observations.

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that the demand of Rs. 1,50,000, under the head "5—Land Revenue—A—Charges of Administration—Land Acquisition—Establishment" be reduced by Rs. 100 (to draw attention to the impropriety of expenditure on land acquisition in the present circumstances).

Looking at the civil estimates we find that the expenditure on the land revenue establishment in 1930-31 was Rs. 2,29,000. In 1931-32 it came down to Rs 2,12,000. In 1932-33 the revised estimate put it at Rs. 1,73,000, but in the next year's budget there is a provision for Rs. 1,80,000, of course the total of the voted and non-voted estimated expenditure. Now, if we compare with these figures the figures for the revenue derived from the recoveries on account of the land acquisition establishment, we find that the actuals in 1930-31 were Rs. 3,32,000 as against a total estimated expenditure of Rs. 2,29,000 that year, as will be found from page 12 of the civil estimates, regarding recoveries on account of the land acquisition establishment. In 1931-32 the recoveries were Rs. 1,64,000 only against a total expenditure of Rs. 2,12,000. It is noticeable that in 1931-32 the revised estimate of recoveries was Rs. 1,80,000, though the actual recoveries were much less, being only

Rs. 1,64,000. In 1932-33 the recoveries were estimated to be Rs. 1,85,000 as against a total expenditure, according to the revised estimate, of Rs. 1,73,000. Here again I am afraid we shall have to take the figures for recoveries with some amount of caution having regard to our experience in the past that, as against a revised estimate of Rs. 1,80,000 we got only Rs. 1,64,000 in 1931-32. In 1933-34 Government expect to have recoveries equal to the amount of the recovery for 1932-33. We are not aware of the basis of such an expectation. We may take it that this figure is too optimistic: this is against the estimated expenditure of Rs. 1,80,000. It is perfectly clear that the expenditure on the land revenue establishment is not keeping pace with the reduced income under this head. Land acquisition work is undertaken on behalf of Government as well as on behalf of public bodies and private persons. Where it is undertaken on behalf of public bodies and private persons the whole cost should be recovered and where it is undertaken on behalf of Government, I take it that the cost of acquisition is shown by book entries. In any case I submit that while in 1930-31 land acquisition was a profitable undertaking, bringing us a larger income from recoveries than the expenditure on the establishment. We are not now justified in maintaining the land acquisition establishment on a scale on which in all probability the expenditure will not be covered by the recoveries. So far as Government itself is concerned land acquisition is in nine cases out of ten a matter of luxury and involves an expenditure which is wholly avoidable. In the case of public bodies or private persons it is immaterial whether it is a luxury or not, because when private persons or public bodies acquire any land Government recover all costs. So far as the maintenance of the land acquisition establishment is concerned, therefore, I submit that in the present period of stress the expenditure should be cut down so as to bring it down to the minimum possible level, and that minimum possible level should be such that the total expenditure should fall short of the total recovery. That is the principle on which the land acquisition establishment should be reduced. I can understand the maintenance of the establishment on a high scale in spite of one year's depression or, for the matter of that two years' depression, but when things have gone down like this steadily for all these years and when there is nothing in prospect, there is no justification for Government to go on keeping up a higher expenditure which is not justified by the returns that we get.

In this connection I may draw attention to the fact that the Bengal Retrenchment Committee made certain recommendations that did not go far enough, but we have not heard from the Hon'ble Member in introducing this head, anything with regard to how these recommendations of the Committee have been dealt with. Also, the budget statement is singularly uncommunicative with regard to the details of the expenditure. We do not know on the face of the budget and the civil estimate

which has been supplied to us, that all this expenditure on the land acquisition establishment is at all necessary. I think there is considerable room for reduction and the time has come when most drastic reductions should be made and in cases where the maintenance of the staff cannot be remunerative an attempt should be made to divide the work of land acquisition amongst officers of other departments. In that way a considerable economy could be effected. In any case I submit that there is a very strong case for further economies under this head.

The Hon'ble Sir PROVASH CHUNDER MITTER: I am afraid my hon'ble friend Dr. Naresh Chandra Sen Gupta has moved this cut under a misapprehension of the use of the word "recovery." When I explain to the House what is meant by "recovery" and what we do in the Land Revenue Department about land acquisition, I trust the House will realise that my hon'ble friend is under a misapprehension. Lands are acquired by Government under the provisions of the Land Acquisition Act on behalf of the railway authorities, companies, co-operative societies, local bodies like the Calcutta Improvement Trust, the Calcutta Corporation, the Calcutta Port Commissioners, district boards, municipalities and various other local bodies as well as on behalf of Government. The total expenditure incurred under the head "5—Land Revenue—Land Acquisition establishment" is in the first instance met from the Government budget, but the major portion of the expenditure is subsequently recovered from the railway companies, local bodies, etc., on whose behalf the lands are acquired. Thus about 80 per cent. of the total expenditure shown under this head is recoverable from the requisitioning authorities and Government's share is only about 20 per cent. The Government's share again decreases when less lands are acquired for Government purposes.

Before it is proposed to acquire lands for any purposes of Government, the scheme is in the first instance examined very carefully and sanctioned by the administrative department concerned in consultation with the Revenue Department. For instance, if an educational institution wants land, the educational institution moves the Education Department and the Revenue Department ultimately and after examination merely gives what may be described as technical sanction. Lands required for Government purposes are acquired only in cases of urgent necessity. As regards lands acquired for Government purposes, members of this House and others are aware of the financial position of Government, and from that fact alone the inference should follow that Government are not in a position to acquire lands unless it is very necessary for them to do so. On the other hand, these estimates provide very little for acquisition of land for Government. The question, therefore, of impropriety of expenditure under this head does not arise. It is for the public bodies

to consider whether they will curtail their programme for acquisition of lands. During the year 1931-32 lands were acquired mainly for the purposes noted below:—

	Rs.
Calcutta Improvement Trust	52,03,700
Calcutta Corporation	3,47,300
Railways	7,00,000
District boards, municipalities, other local bodies and companies	1,98,000
Damodar Canal project of this Government ..	1,77,000
Other Government purposes including those Central Government	1,37,000
Total ..	67,63,000

Members of this House will, therefore, see that out of the total of Rs. 67,63,000 including the requirements of the Central Government and the Damodar Canal project which cannot be stopped, the total amount of value of land acquired for Government was less than Rs. 3,25,000. The remainder was for local bodies and others. The actual expenditure incurred on account of "land acquisition establishment" during the year 1931-32 was Rs. 2,12,370 and an amount of Rs. 1,64,440 was recovered from the Calcutta Improvement Trust, Calcutta Corporation, railways, district boards, municipalities, other local bodies and companies. The Government's share towards the cost of the land acquisition establishment was, therefore, Rs. 47,900 or 22·5 per cent. only. Now, if the hon'ble members will refer to page 31 of the estimates, they will find that out of the total of Rs. 1,80,000 for land acquisition establishment, Calcutta itself was responsible for the bulk of the expenditure and of the cost of acquisition of land in Calcutta about 90 to 95 per cent. was recoverd from the Calcutta Improvement Trust and the Calcutta Corporation, because those are the bodies which acquired land on a large scale in Calcutta. Therefore from what I have said, recoveries follow cost paid by the local bodies or companies and so on, and they vary. Recoveries have nothing to do with lands acquired for Government. The acquisition of Government land is very small, and whatever land is acquired for Government there is no recovery. Whenever land is acquired for somebody else there is recovery. Therefore I hope that Dr. Sen Gupta will now realise that recoveries have nothing to do with acquisition by Government for its own purposes. It depends on the cost of acquisition for others. Therefore it is merely a budget estimate and it is prepared on the estimated requirements of local bodies. That is the main thing, and if the local bodies and others want less lands the estimate for costs becomes less. This is a mere estimate although no doubt we try to be as

accurate as possible. Take for example, the Damodar Canal project of this Government. As I had no notice of the specific points which my friend desired to make, I am not ready with the figures of the Damodar project. But members are perhaps aware that the Damodar Canal project involves a large amount of expenditure. You cannot stop land acquisition of this project without detriment to the project, and if land is required for that project it must be acquired. That is one of the important acquisitions of land that Government will require for its own purpose. As I had no previous notice, I am not in a position to give the details of land required for the Government of India and for the projects of our Government.

Technically my friend is perfectly within his rights in drawing attention to the impropriety of expenditure on land acquisition in the present circumstances, but his arguments are based on misconception. If he wants specific information we shall be only too glad to give him that information. Therefore on the materials and on the arguments put forward I submit that there is no justification for this cut.

My friend referred generally to the Retrenchment Committee's report. So far as land acquisition is concerned the Retrenchment Committee in paragraph 22 of its report says this—

"*Land acquisition work done for railways.*—When land is acquired for railways, the cost is recovered from the Government of India, only if a special establishment is employed for the work. We are unable to understand the reason for doing this work free of cost when it is carried out by the ordinary district staff, and we recommend that a percentage should be added to all estimates for the acquisition of land for railways to cover the cost of the staff."

Of course on a point like this it is to be expected that the members of this House and members of Government will see eye to eye. But we have to induce the railway authorities to pay, and I assure the House that this recommendation of the Retrenchment Committee is receiving the attention of Government. If we can induce the Government of India to accept it we shall certainly be very pleased. This reminds me of the reasons for higher recoveries in previous years, because in those years acquisition of land for railways required special staff. I do not exactly remember the names of the particular acquisitions, but it was somewhere in the district of Chittagong where a special staff was employed and therefore the recovery cost was heavier.

The motion was put and lost.

Mr. SHANTI SHEKHARESWAR RAY: I beg to move that the demand of Rs. 1,13,200 under the head "5A.—Charges of Administration—Certificate establishment—Pay of establishment" be reduced by Rs. 100 (to suggest postponement of realisation of survey and settlement charges in view of the economic distress).

I want to suggest postponement of realisation of survey and settlement charges in view of the economic distress of the people in this province. The Government of Bengal expect to realise a sum of Rs. 12,88,000 during the ensuing year on account of certain survey and settlement charges. I speak subject to correction, but I believe practically the whole of this amount will be realised from the district of Malda. Sir, the members of this House who happen to possess any interest in land whether as a cultivator or as a landlord, can realise the situation. In these days the price of paddy is so low— in Malda the price is about 13 annas a maund, though at one time the price went down to 10 annas—that it can barely cover the cost of raising the crop. The result is that the cultivator is not in a position to pay his rent even to the *zamindar*. The *zamindar*, somehow or other, must manage to pay the Government revenue and road cess. He is doing this with great difficulty. If under such circumstances the *raiyat* and the *zamindar* are called upon to shoulder this additional burden of settlement costs, this will be nothing short of oppression. I hope the members of this House have heard of the trouble recently at Malda when the police opened fire on the Santhals——

The Hon'ble Sir PROVASH CHUNDER MITTER: On a point of order, Sir. That has nothing to do with land revenue.

Mr. SHANTI SHEKHARESWAR RAY: If the Hon'ble Member will just hear me——

Mr. PRESIDENT: You had better not refer to that.

Mr. SHANTI SHEKHARESWAR RAY: My information is that the Santhals refused to pay settlement dues and they were having a meeting at the place— —

Mr. PRESIDENT: That is more or less a stretch of the imagination. You are discussing an economic proposition and I do not think you need bring in these matters.

Mr. SHANTI SHEKHARESWAR RAY: My most humble suggestion is that I am trying to place before the House and Government the consequences that will follow if Government insists on realising the settlement cost.

Mr. PRESIDENT: That is far-fetched.

Mr. SHANTI SHEKHARESWAR RAY: Sir, am I not entitled to to place before the House, with your permission of course, the causes that have led to the rising of the Santhals at Malda?

Mr. PRESIDENT: If I allow you to stray away from the real point, the result may be that you and others will introduce matters which are not necessary for your purpose.

Mr. SHANTI SHEKHARESWAR RAY: I was only going to show——

Mr. PRESIDENT: You need not say that. I expect you to discuss the economic aspect of the question.

Mr. SHANTI SHEKHARESWAR RAY: I am doing that, Sir.

Serious consequences may happen if the policy is not changed. It is now confined to the Santhals, but it may spread to the other communities.

Mr. PRESIDENT: Order, order, you cannot get out of my ruling which you should bear in mind.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I do not ask for a remission of the settlement costs, although I can make out a good case for it. What I suggest is that the realization should be postponed for a year. In normal times big *zamindars* are allowed to pay their share of the charges by instalments extending over a year or so. In these abnormal times such relief is not at all helpful. Sir, I want the Government to come to the help of the people and I want the Government to show by practical measures that they are willing to help the landlords as well as the tenants. We have been told that Government have been anxiously considering the economic situation. I do not know from what point of view they have been considering the economic situation. Sir, I place before the House and before the Government a practical suggestion that may to a certain extent relieve the distress due to the economic situation. I do not know what attitude the Hon'ble Member in charge of the Revenue Department is going to take in this matter. He is always full of sympathy—in some cases sympathy for the political prisoners—but in spite of that sympathy the Jail Code stands in his way.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, may I rise on a point of order? Mr. Roy is referring to political prisoners——

Mr. PRESIDENT: Mr. Roy, the reason you have given for bringing up this motion is that you suggest postponement of realisation of survey and settlement charge in view of the economic distress. You should confine yourself to that.

Mr. SHANTI SHEKHARESWAR RAY: I am just anticipating the attitude the Hon'ble Member may take. He is always in sympathy for everybody——

Mr. PRESIDENT: That remark is rather unbecoming.

Mr. SHANTI SHEKHARESWAR RAY: Very well, Sir, I shall give it up. I have not brought forward this motion as a vote of censure. It is more or less what we call in *zamindari* language *durbar*. I am appealing to the Government to come to the help of the *raiyats* as well as of the tenants and I hope that the Hon'ble Member will not like Shylock insist up his pound of flesh.

Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, I do not agree with my friend, Mr. Shanti Shekhareswar Ray, as he is attacking the Hon'ble Member in a wrong way. I represent Malda where money is being realised and I am aware of the hardship and inconvenience to which the people of the locality is being subjected on account of the present economic distress. I would appeal to my friend on the Treasury Bench to think of the poor tenants whose condition is not unknown to him; especially as he is very well aware of the economic distress that is prevailing everywhere. So, I would appeal to him to see if he can accept the Kumar Saheb's proposal by allowing some time to the tenants to pay their dues. In these days it is useless to stress the present economic condition. From His Excellency downward everybody has admitted in this House that there is an economic distress prevailing in Bengal. That being the position and as the people are not in a position at this time to pay land revenue and rents, to realise additional amount from them does really cause a great hardship. So, I would appeal to my friend on the Treasury Bench to see if he can accept the proposal.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: Sir, I rise to support the motion so far as the spirit of the motion goes. I do not like to go into the details to which Mr. Ray has gone, viz., the political effect and other questions which he has anticipated, as a result of taking steps for the realisation of settlement costs. It is well-known that economic distress is prevailing all over the country and it is known to the Hon'ble Member how many defaults have been made in the payment of land revenue. Last year, I find, that the number of defaults was about 16,000 and this year the number has increased, I understand, to nearly 25,000, out of a total of 101,000 estates. From this figure one can easily gather that about one-fourth of the estates under Government are making default. The tenure-holders and the occupancy-holders, whose number is much larger than the revenue paying estates are

more in default. It is also known to the House how difficult it is for them to pay the rent in this time with the result that their holdings are being sold to a great extent, and even so there are few buyers to purchase them. If the settlement costs be realised, it will be an additional burden to them and it will mean that the number of estates sold would increase to such an extent that practically all of them would be deprived of their holdings. I agree with the suggestion to postpone the realisation of the settlement costs for one year and I would humbly request the Hon'ble Member in charge to consider it. All that can be done is to realise the same by instalments for some years together.

MUNINDRA DEB RAI MAHASAI: Sir, the motion of my friend Mr. Shanti Shekhareswar Ray has my hearty support. The country is passing through unprecedented economic distress for the last three years. The depression in trade and commerce is world wide. The demand for rice and jute, the principal products of Bengal, have decreased to such an alarming extent that the price obtained therefrom failed to cover even the cost of production. The result has been disastrous to the poor *raiyats*. They are now under the grip of a famine of money. For want of money they are unable to pay rents to *zamindars* who in their turn are defaulting to pay Government revenue and cesses. Estates are being put up for sale in hundreds and thousands. In these circumstances, it would now be cruel to realise settlement costs from either the *zamindars* or the tenants. Both of them have reached the farthest limits of their resources. In the circumstances the imposition or the realisation of this additional burden—settlement cost—should be deferred to better days. I hope my appeal to the Hon'ble Member will not go in vain. With these few words I support the motion.

Rai Bahadur JOGESH CHANDRA SEN: Sir, this is an appeal on behalf of the poor and the distressed. This is an appeal, pure and simple, and there is nothing behind it, and I hope the Hon'ble Member will kindly consider it in that light.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I will first begin by giving some materials to the House. The total recoveries referred to by Mr. Shanti Shekhareswar Ray are made up of the following:—

	Rs.
Chittagong	29,485
24-Parganas	2,50,000
Burdwan	4,00,000
Malda	4,00,000

nd there may be certain other minor items. Now, Sir, in the district of Chittagong the total cost of the operations amounted to Rs. 24,75,740; of this the recoverable demand from landlords and tenants was originally Rs. 7,01,756, which was subsequently adjusted at Rs. 6,04,000, that is to say, about Rs. 17 to 18 lakhs were paid by Government, because a good portion of Chittagong consists of temporarily settled *khas mahal* lands and in regard to these lands the whole cost is borne by Government. The point to remember is that the total demand in Chittagong concerning private landlords and tenants was a little over Rs. 6 lakhs—Rs. 6,04,000—of which Rs. 5,99,676 have already been realised and there remains a sum of Rs. 5,02,000. The bulk of the sums realised, were realised amicably, *i.e.*, without resort to certificate procedure. Generally speaking, agricultural tenants pay amicably and a fairly large number of the *zamindars* pay amicably. In Chittagong Government may be prepared to give further relief except in the case of a few persons who in spite of being well-to-do are not paying their dues. I may tell the House that in the bulk of these arrears we may be prepared to write them off except where the officer is definitely satisfied that the gentlemen concerned have ample means to pay and are evading payment. There are cases of two or three *zamindars* who in spite of having ample means to pay have not paid; in such cases we are not prepared to write off the arrears. In the case of all poorer agricultural tenants who have not been able to pay, I can assure the House that in the cases of the poorer tenants their dues will be written off, but it will not do to write off the arrears unless we have taken steps to realise from those landlords who are able to pay. In Chittagong the fact that the collections were mostly made amicably shows that the grievance is more or less a grievance created for the occasion.

In the 24-Parganas the total expenditure was Rs. 37,62,000, of which the recoverable amount was Rs. 28,67,000. Here, too, there are Government estates and Government pay for the costs of their estates. The recovery up to date has been Rs. 27,81,722, leaving a balance of Rs. 76,003; of this balance certificates have been issued to cover Rs. 32,442. I may mention that out of the total demand of Rs. 27,81,722, the amount recovered by certificate amounts only to Rs. 2,37,754, this shows that the bulk was realised amicably. I may tell the House that wherever it was found that there was an anxiety to pay, *i.e.*, wherever a person came forward with even one-third or one-fourth and asked for time till the next collection time was generally given, but where time was asked for in order to evade payment it was not naturally given. Generally speaking, agricultural tenants have paid amicably and also a very large proportion of landlords have done so. Government are also considering in consultation with the Director of Land Records the possibility of closing down further recovery in the course of a few months.

Then, the next is the district of Burdwan. The recoverable amount from blocks A, B and C in Burdwan is about Rs. 18 lakhs, of which Rs. 11,73,638 has been recovered, leaving a balance of Rs. 6 lakhs odd. Part of this is to be recovered this year, and part next year. That again will show that the recovery is gradual and with due regard to the undoubted economic difficulties of the people. Here, too, time has been freely given whenever there was a good cause for granting time. Here, too, agricultural tenants have paid amicably, and a large portion of the landlords too paid amicably.

In Malda, the district with which my friend Mr. Shanti Shekhareswar Ray is more concerned, but perhaps he is not in enough touch with his constituency to know that the total demand this year is Rs. 4 lakhs and not Rs. 12 lakhs. The total recoverable amount of Block A is——

Mr. SHANTI SHEKHARESWAR RAY: On a point of explanation, Sir, I referred to the budget of 1933-34.

The Hon'ble Sir PROVASH CHUNDER MITTER: But the hon'ble member said that Rs. 12 lakhs is probably due from Malda. We are dealing at present with this year's budget. The total recoverable amount from Block A in Malda is Rs. 4 lakhs. The rate of recovery is Rs. 1-4 per acre as against Rs. 1-13 in some of the places in the 24-Parganas. The rate in Malda is lower than in some of the other districts. Out of this, up to date, Rs. 2,87,932 has been recovered. On account of economic depression time has already been given and is being given. During the current year Rs. 1,35,950 is due to be recovered and the balance Rs. 1,40,557 is due next year. In cases where the amount exceeds Rs. 2,500 landlords have been permitted to pay one-fourth this year and the balance in 12 to 18 months, according to the demand. Mr. Shanti Shekhareswar Ray's request was to allow one year's time, and that was the request repeated by other members, but here the Settlement Officer has been giving 12 to 18 months in many cases. More than that time cannot be given as it will become more expensive, as the settlement staff will have to be kept on in Malda beyond that time.

Mr. SHANTI SHEKHARESWAR RAY: May I point out that such time is given in normal times everywhere. I suggested that the realisation should be postponed for one year, so that people may pay next year.

The Hon'ble Sir PROVASH CHUNDER MITTER: The Member is absolutely wrong. Such long time and on such conditions are not ordinarily given in normal times. Such time is given on account of the present economic difficulty. It is no good making assertions. A member in the position of Mr. Ray ought to be sure of his facts.

Mr. SHANTI SHEKHARESWAR RAY: May I ask whether the Hon'ble Member himself did not get time, previous to this, as a landlord?

Mr. PRESIDENT: Order, order.

The Hon'ble Sir PROVASH CHUNDER MITTER: I may mention that the balance recoverable is mostly from landlords. Those who are anxious to pay and are paying amicably are being granted every facility. It should also be remembered that recoveries start 3 years after the expenditure commences; therefore as far as these districts are concerned, time has been given and is being given with due regard to economic difficulties. I am rather apprehensive of saying that Government is sympathetic because of certain expressions of the mover, but Government know the position as well as any member of this House. With regard to certain observations of Mr. Ray of a personal nature, I say that I am not here in my personal capacity, but I am here as the mouthpiece of Government in the Revenue Department, and I can assure the House that Government pay due attention to economic difficulties, but Government also have other duties and responsibilities, and taking fully into account the economic difficulties, Government have been proceeding as cautiously as possible. I, therefore, oppose the motion.

The motion was then put and lost.

MUNINDRA DEB RAI MAHASAI: Mr. President, Sir, I beg to move that the demand of Rs. 1,13,200 under the head "5A.—Charges of Administration—Certificate establishment—Pay of establishment" be reduced by Rs. 100 (to discuss the necessity of putting a stop to bribery and corruption which is rampant in the department).

In doing so, I should like to point out that bribery and corruption are not confined to a particular department of Government but is almost universal, specially in all the law courts. It is an open secret which none can deny. This is a serious blot on civilised administration and attempts should be made to root it out as far as practicable. I am sorry, so far as I am aware, no serious attempt has ever been made to tackle with this problem. The Hon'ble Member may exclaim "why do the people pay bribes and corrupt the servants of the State." Circumstanced as they are, they cannot get any work whatsoever without payment of bribes. If they decline to pay, they will be put to infinite trouble and difficulty. There are different types of bribes. Some are of the usual or customary type—such as the deposit or withdrawal of money from the treasury. If you want to deposit money say on account of revenue, cess in other Government dues, you cannot do without paying bribes to those whose signatures in the *chalan* are necessary. The

man who affixes the seal must also have his quota. This sort of bribe has become customary and people have got accustomed to them. I did not know before that at the time of cashing cheques such payments are essential. I should like to cite an instance of my personal experience. After the Council elections, I got a cheque to withdraw my deposit money. I signed it and handed it over to an officer of mine for encashment. After some time a man came and informed me that unless some bribes are paid, it will not be possible for him to cash the cheque. Out of curiosity I followed my man and found his statement to be quite correct. The *poddar* frankly told me " আমরা এসব পেয়ে থাকি," that is, it was customary for them to receive something before payment is made.

If you have got to file an application, say to a revenue officer, you will find the left hand of the *peshkar* extended towards you to receive his quota which is generally one rupee. If you want to know the date of a case you must have to pay something to the *peshkar*. If your pleader wants to see the file of a case, he cannot do so without paying something to the man in charge. These are all of the customary type and people have got accustomed to such payments. But another type, I should like to call it extortionate type, which has turned out to be abominable. This type is prevalent in the Certificate Department. The *nazirs* and his assistants are having a rich harvest in these hard days by squeezing out heavy bribes from debtors for putting off payments. This has become scandalous in certain districts. Just a year ago on a similar occasion I said "The exactions of some assistant *nazirs* in the same collectorate have earned unenviable notoriety. If the Hon'ble Member cares to know about them, I think I shall be able to help him." A year has rolled by since then and nobody has cared even to inquire as to what I have got to say. He should know that people have not got enough to spare for offering bribes. They are forced to pay under circumstances over which they have got no control. The Revenue Member is not only an eminent advocate but a great statistician and he will perhaps look into his figures and say that as the public has not instituted cases for bribery, no action can be taken. The law on bribery cuts both ways—the man who pays bribes and the man who accepts bribes—are equally guilty under the law. Nobody wants to take the risk. But does that absolve the Government for their responsibility in the matter? Is it not their duty to look into the purity of their administration? The Deputy Collectors and presiding officers know full well which are going on under their very nose, but most of them are more or less creatures of their subordinates and are therefore, powerless to do anything to check the evil. In this connection it reminds me of an incident which took place over thirty years ago. The late Mr. T. Inglis, the then Collector of Hooghly, suspected his *peshkar* to be a bribe-taker. He kept a sharp eye on his and

noticed portion of a coin which peeped through his hand-made *pugree* of *malmul*. He called him and pulled his *pugree* when low and behold! Silver coins of various denominations fell scattered throughout the room. It was needless to add that he took prompt action. He tempered justice with mercy and compelled the man to retire. This had the desired effect. All the collectorate staff took the warning and there was marked improvement in their morale. The rate of bribes has risen high now a days. The Government *amlas* remained satisfied with small coins in those days. We have heard times without number about the prevalence of bribery and corruption during Moghul rule, but what about this civilised age? There is absolutely no improvement in the morale of the subordinate staff. The *amlas* of the *zamindars* have been the target of such attacks. The charge is often directed towards the acceptance of *bishabana* from the tenants, but what can the people do to stop the extortions of the rapacious Government *amlas*? The people are helpless unless the Government comes forward to check the evil with a view to purify the administration.

With these few words, I commend my motion to the acceptance of the House.

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

Oath or affirmation.

The following member made an oath of his allegiance to the Crown:—

Lieut.-Col. A. H. Proctor.

The Hon'ble Sir PROVASH CHUNDER MITTER: I have listened, and I am sure other members of the House have listened, with great interest to the complaints made by the Rai Mahasai, including his personal experience. It is difficult to deal with mere general and vague allegations, but there was one specific allegation made by him. It seems to me that, assuming that the evil does exist, though I do not admit that it exists, and I am only expressing my personal view,—if a number of people would combine and take determined action, then the evil can be met very effectively. But if, on the other hand, either out of kindness or out of a desire to avoid a little trouble, one individual agrees to pay something and if others follow in his wake, then I am afraid it is no good complaining to Government (because, after all, governments work through their own officers). In the particular case mentioned by the Rai Mahasai I do not know if he then and there complained to the deputy collector in charge of the treasury, or, if he did not get any remedy there, whether he complained to the Collector; but

if others similarly situated, not merely in one case but in all cases, would combine and stand up and would not agree to this kind of nonsense, then and then only, the evil, assuming that it exists at all, can be removed. But unless people try their best to take effective means, then how can ventilation of a complaint of this character in this House advance matters further? Now if you complain that there is corruption on any large scale, and if petty officers are responsible for it, then I may say that perhaps a fairly large number of the public also is responsible for this state of affairs; if gentlemen in responsible positions agree to give some petty considerations, call it bribe or call it by any other name, then you yourselves are contributing to the general difficulty. But I can say this: that if any specific case is brought to the notice of local officers and local officers do not take any action, then I am sure Government would be very pleased to take up the question. So if the Rai Mahasai would make a specific complaint to local officers and if the local officers do not take up the complaint, Government would inquire into the matter, but I do not think that this is the best way of dealing with an evil like this, assuming, of course that it does exist at all. So I do not think there is any good reason for the cut being moved. I oppose the motion.

The motion was then put and lost.

Kazi EMDADUL HOQUE: I beg to move that the demand of Rs. 1,16,000 under the head "5A—Charges of administration—Certificate establishment" be refused.

Sir, on previous occasions I have given expression to my feelings at length on a motion like this. The system of recovering dues by certificate procedure is, I think, very loosely exercised now-a-days. In the Rangpur district the certificate system has been adopted of late. Now, in these days of hardship the cultivating raiyats who cannot afford to pay for the cost of litigation, have been compelled to incur much larger expenditure for the purpose of defending their cases on account of the fact that powers of the subdivisional officers have been taken away and centralised in the districts. We have been claiming decentralisation of the certificate court. We want that subdivisional officers as certificate officers should exercise these powers in the subdivisions but instead of that these powers are being centralised in the districts. These have certainly added to the miseries of the people in the Rangpur district specially. In other districts the subdivisional officers are entitled to deal with certificate cases in the subdivisions but only in Rangpur I think the powers of the subdivisional officers have been wrested away and a certificate court has been established in the Sadar district itself. In Rangpur the people have got to come from a distance of 100 miles in order to defend their cases if they have got to defend them. It is simply impossible in these days of financial difficulty

for the cultivating people to come from such a distance in order to defend their cases in the districts. Moreover, in low-lying areas——

Mr. PRESIDENT: I may remind the member that this is an economic cut. He should endeavour to justify the total refusal of the grant?

Kazi EMDADUL HOQUE: And for the matter of that it is absolutely necessary that the grievances of the people should be redressed by subjecting them to less expenditure.

Mr. PRESIDENT: What is your position? Are you going to replace the certificate procedure by any other system which involves no expenditure, or do you want to dispense with it altogether?

Kazi EMDADUL HOQUE: We want that the certificate court should be decentralised, in order to allay the sufferings of the people because they have got to go to the Sadar from a long distance, which causes a great deal of inconvenience——

Mr. PRESIDENT: You do not seem to realise the point. You have given notice of a motion which seeks to refuse the total grant. How do you propose to run the machinery?

Kazi EMDADUL HOQUE: The system tells heavily upon the poor people in these days of economic distress and should be held back till better time comes.

Mr. PRESIDENT: I am afraid you cannot make out your point.

Kazi EMDADUL HOQUE: Sir, at any rate the system is bad and should be done away with, and the ordinary method of realisation should be taken recourse to.

The Hon'ble Sir PROVASH CHUNDER MITTER: As you pointed out, Sir, to the hon'ble mover, he asks for the total refusal of the entire grant. In other words, he wants that the certificate system should be abolished in all cases. But we have heard very little to justify this. He has not suggested, if the system of certificate were done away with, what system should be substituted for it and from the arguments that he put forward there seems to be little justification for this sweeping amendment. He referred to certain grievances in his own district or subdivision, but the certificate system is not merely for the realisation of the court of wards dues or other dues of that character, from his district only but it is for realisation of dues of various kinds in the

province including realisation of cesses for district boards. How are the district boards to go on if the cesses are not realised? It is also used for the realisation of dues on account of ferries, pounds and so on. There are various public demands as the Act itself shows.

We have not heard anything to justify this total cut. But even with regard to his own district it is interesting to note that Mr. Sachse, Member of the Board of Revenue, reported to the Revenue Department that during the last Pujas nearly Rs. 5 lakhs had come to the treasury for the purchase of postal cash certificates. Although it is quite true that the position of some people at Rangpur is bad, it cannot be said that the position of all people is bad. If in the course of 4 or 5 weeks they can invest Rs. 5 lakhs in cash certificates, it does not show that there is great distress and I may say that pointed inquiries were made by the Member of the Board of Revenue and he was satisfied that certificates were not issued indiscriminately. With these observations I submit that the motion should be rejected.

The motion was then put and lost.

Haji BADI AHMED CHOWDHURY: I move that the demand of Rs. 1,16,000 under the head "5A—Charges of administration—Certificate establishment" be reduced by Rs. 5 (to draw attention to unnecessary realisation of money in certificate cases for *Malpahara* without attestment).

I move that the demand of Rs. 1,16,000 under the head "5A—Charges of administration—Certificate establishment" be reduced by Rs. 4 (to discuss the question of issuing postcards in certificate cases).

He delivered a speech in Bengali of which the following is a translation:—

Sir, with respect to a cut of Rs. 5 out of the demand of Rs. 1,16,000 for the certificate establishment, I beg to say that whatever the amount of claim may be in certificate suits, a custody fee is charged. This fee sometimes amounts to as much as eight annas or one rupee although the original claim may be only one rupee or even less than that, and it is realised even if the peon succeeds in collecting the amounts due without attachment of any properties. Why should this fee be realised in cases where the dues are realised without attachment of goods or other properties?

I invited attention to this matter last year too. The then Revenue Member stated that the courts were to follow the rulings of the High Court in this matter but the courts do not abide by such rulings. Where goods are not attached, the custody fee should not be realised. Where there is a claim for over Rs. 20, the decree-holder has to pay the fee for guarding the properties to be attached. If, however, there is no attachment, the money deposited is refunded to the decree-holder. I, therefore,

requested Government last year to reconsider this matter and to frame a rule exempting the poor villagers from payment of a fee for guarding the properties to be seized in case the distress warrant has not to be executed for realising dues amounting to less than Rs. 20. But Government did not accept my proposal. They stated that the District Collectors would look into this matter. But, so far as my information goes, I am not aware of any Collector who has changed the practice usually followed in this matter. At Chittagong, the fee for guarding properties is still being collected as before even in cases where there is no attachment.

I, therefore, hope Government would kindly issue instructions to the District Collectors or frame rules for the purpose of exempting poor villagers from such undue demands for payment in these hard days of economic distress.

Sir, with regard to the motion for a cut of Rs. 4 from Rs. 1,16,000 allotted to the certificate establishment, I would like to dwell upon the necessity of issuing post cards to defaulters before initiating certificate cases. Government in many cases realise nearly Rs. 4 or Rs. 5 with costs against a due amounting to Re. 1 only by issuing certificates. There are certain classes of ordinary people in Bengal who cannot remember the date fixed for payment of cess and rents for jotes, etc., and in many cases the task of making the payment having been entrusted to the co-sharers, or the tenants or the servants, the payment is not made in due time with the result that certificates are issued and nearly double the amount due has sometimes to be paid by the defaulters together with costs. I believe that if post card warnings are issued, nearly 50 per cent. of the certificate claims will be settled by money-order and amicably. In cases where Government have delegated the power of issuing certificates to *zamindars* and instructed them to send post card warnings before the issue of certificates, most of the claims are being realised instantaneously on the receipt of these warnings by of persons concerned. The people will be greatly benefited if Government and the District Boards adopt the same practice.

I also raised this matter in the Council last year. The Hon'ble Member-in-charge, then stated that the practice of sending post card warnings had already been in vogue. But we now find that such post card notices are issued only in cases of demands which vary from year to year.

I, therefore, suggest that the Hon'ble Revenue Member should kindly alter the rules which provide for a sudden issue of certificates and take steps to bring the practice of sending post card notices into vogue.

I hope this motion of mine will be supported by all.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I will take up motions Nos. 8 and 9 separately. About motion No. 8, I may draw the attention of the mover to the fact that under section 38 of the Public Demands Recovery Act certain statutory rules are embodied in Schedule II to the Act. These had been finally published in Part I, pages 2351-74 of the *Calcutta Gazette* of the 23rd December, 1914. According to rule 38 of these rules, whenever process of attachment of movable property by actual seizure is issued, fees at the scale given in the rule have to be furnished with a certificate stating the period for which the fees in accordance with the rules have been paid. The Accountant-General, Bengal, drew the attention of Government to the fact that in the course of audit of the accounts of the Pabna Collectorate it had been found that the local officers were very lax in the realisation of the fees but as the provision of the rule was mandatory they were bound to do so. The Board of Revenue, therefore, issued instructions about the realisation of the fees in a way that would not cause undue hardship to the certificate debtors. The purport of the instructions was—

(1) that the rules regarding the custody fee in rule 38 were based on the civil court procedure as ordered by the High Court and are not entirely suitable to certificate cases;

(2) that when the attached property is kept in the custody of some one in the village, no custody fee is necessary and only the fee for going and coming under rule 38 (2) can be charged; and

(3) as it is not possible to prescribe a uniform rate for the whole province, discretion has been allowed to the Collector to fix a rate or rates for his district. Besides, as it is not possible to anticipate the number of days that might be required in each case, an all-round fee for three days, irrespective of the actual number of days required in each, may be charged. The practice may be varied in paticular cases, if necessary.

If, however, in spite of these rules, there is any legitimate grievance which may be remedied, the Board of Revenue and the Government will be prepared to consider the matter sympathetically provided specific grievances are brought to notice. The mover will realise that the charges were much higher before and the changes introduced by the Board will make them lower.

The mover spoke about charging something when attachment is issued. But when attachment is issued somebody must go and not merely travelling charges but special charges for looking after the things will have to be paid. As regards looking after the things some local man is now entrusted with the duty but the peon must go and naturally his travelling is charged. When the attachment order is

issued and goods are actually attached, then travelling must be paid; but when I deal with the next motion perhaps the position will be clearer.

In the next motion the mover raises the question of issuing post cards in certificate cases. The rules provide that practically in most cases post cards are to be issued. Rule 9, on page 66 of the Bengal Certificate Manual, says this—

"To obviate hardship, District Officers are directed to notify the existence of arrears before certificates are issued, (*a*) by putting up a list of defaulters in their offices, and (*b*) by sending warnings to defaulters by printed post cards in cases in which there is no reason to believe that the debtor has had intimation of his liability."

Lower down in clause (*a*) it says: "a post card warning shall always be issued to the debtor previous to the issue of a certificate under the Act in the case of demands made for the first time (whether they be of a recurring character or not)," because there are certain rules to deal with demands of a recurring character, but even there the post cards are issued. "In the case of recurring demands of a fixed character, warning cards shall be issued to defaulters once only, it being stated in the card that no more post card notices will be issued for sums which may fall due in future." Therefore it is not correct to say that no warning post cards are issued. With regard to the issue of warning post cards even with regard to dues of a recurring character, Government have asked the board to re-examine the matter and the matter is under consideration. But no final orders have as yet been issued. It must be remembered that it ought not to cause any hardship because it is always open to the party to apply to the certificate officer for time after a part payment; but if any feasible scheme can be put forward which will not entail too much work on the collectorate clerk, as that will mean more public expense, it will be duly considered. I am prepared to say that the matter is receiving the consideration of Government with regard to the last mentioned point.

The motions of Haji Badi Ahmed Chowdhury were then put and lost.

Mr. PRESIDENT: I will draw the attention of the House to motions Nos. 11 to 30. I think we can choose No. 11 and invite a discussion on the cess policy of Government. A discussion on this motion, as far as I have been able to gather, will cover the latter part of No. 12, the first part of No. 16, Nos. 21 and 22, a portion, I think, of No. 27; but I think these motions need not be moved. Similarly if No. 13 is chosen and a discussion on the desirability of amending the Cess Act in the near future, is invited on that it will cover No. 14, the first part of Nos. 12, 15 and 16, a part of No. 17, No. 18 and Nos. 19 and 20, I think these need not be moved as it will save a lot of time: but,

before we take up No. 11 or 13 I should like to deal with motions Nos. 23 to 30 which relate to specific grievances—I think these should be given a chance at this stage, as the discussion over the question of the cess policy as also over the question of amending the Cess Act must be very long. As these motions deal with specific grievances, I would like to alter the order of precedence. For similar reasons I wish to take up as much of motion No. 17 as refer to Khulna only. I shall have one discussion on these motions relating to specific grievances, but I shall put them separately. I think the House has followed me and there is no objection to this being done.

Mr. P. BANERJI: What about No. 27?

Mr. PRESIDENT: It will be taken up in parts because it deals with two matters. I think the House agrees to this procedure.

Khan Bahadur Maulvi AZIZUL HAQUE: May I, Sir, submit my point of view? So far as 11 is concerned, it not merely relates to the cess policy of Government but also its sequence, namely, an amendment of the Cess Act. In my motion I do propose to discuss not only the present cess policy of Government, but also the amendment of the Cess Act.

Mr. PRESIDENT: You may then speak both on motions Nos. 11 and 13 the former relates to the cess policy and the later to the desirability of amending the Cess Act.

Khan Bahadur Maulvi AZIZUL HAQUE: But the difficulty is in regard to the time at our disposal.

Mr. PRESIDENT: I have given considerable thought over the matter and I think that it is the best solution. If the Khan Bahadur has any difficulty, he might draw my attention to it at the right moment.

Maulvi SYED MAJID BAKSH: Sir, may I know whether, apart from the general policy, the matter of grievances against the non-revision of cess assessment will also be allowed to be brought up under No. 28.

Mr. PRESIDENT: Yes, that motion will be taken up later. Maulvi Abul Quasem, perhaps you have followed what I have said. You have now to move that part of motion No. 17 which deals with Khulna.

Maulvi ABUL QUASEM: Sir, I beg to move that the demand of Rs. 77,000 under the head "5—Land Revenue" be reduced by Rs. 5 (to protest against the failure of the Government to give relief to tenants in the matter of excessive assessment of cess on the basis of land valuation in the district of Khulna.)

Sir, as a result of the valuation and assessment of cess which was undertaken after the last survey and settlement operations in the Khulna district, the assessment has mounted to a figure which is three times the figure which prevailed before the revaluation and assessment were undertaken. The price of agricultural products has gone down enormously; in fact, the present assessment has no relation at all to the present value of land. In August last the district board of Khulna presented an address to His Excellency the Governor and in that address pointed attention was drawn to the urgent necessity of amending the Cess Act, so as to give some relief to the tenants who are suffering on account of the excessive valuation because the value of land has fallen incredibly. Government has as yet taken no steps in the matter and the people's suffering is enormous and indescribable. I desire that Government should lose no further time in giving some relief to the tenants by adopting some expeditious and cheap method in the revising of land valuation, because if this state of things continues the people's suffering will be simply unbearable. In this connection I desire to bring to the notice of the Hon'ble Member in charge of the Revenue Department to the circular which has been lately issued by the Board of Revenue, Bengal. In that circular it is stated that Government will be paying to the district boards only that amount which will be actually realised from the tenants of Government estates. I do not know if this privilege of paying the amount actually realised is going to be extended to the *zamindars* also. The *zamindars* are trying to realise all the cess due from the tenants, but whether they are succeeding in doing so or not, they are certainly pressing the tenants very hard to pay up their dues. Government is not going to pay to the district boards more than what is actually realised from the tenants of Government estates. I ask whether Government is considering the desirability of extending the same privilege to the *zamindars*, so that their tenants may get some relief. With these words I commend my motion to the acceptance of the House.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I will confine myself in this motion, so far as possible, to Khulna. It is perfectly true that in Khulna the demand for cess was considerably increased about 3 years ago. Speaking from memory, I think since the last cess valuation was made it was raised from Rs. 2 lakhs and odd to about Rs. 6 lakhs and odd. In other places like Pabna, and Nadia where the increase was not so heavy, people started agitation and raised objections, but at that time not much was heard from Khulna.

Well, a good portion of this increased assessment is due to very legitimate causes, because the assessment was made after the record-of-rights and the previous assessment was made only on the returns by the *zamindars*. After the record-of-rights was prepared every *bigha* of land became known to the assessing authority; and so a portion of this increase was due to the fact that what was previously concealed could no longer be concealed. Another portion of the increase was equally legitimate, namely, accretions increase in area and so on; but a portion of the increase was due to summary assessment of *khas* lands. What the total assessment would be cannot be foreseen and could only be known after the assessment has been concluded. The assessment of all *khas* lands, whether of landlords or of tenants, is made on the basis of average estimated profits. Well, under ordinary circumstances and before the economic depression, the profits of *khas* lands, at any rate, the bulk of them, amounted to something higher than what side profits are under the altered circumstances of low price of crops. The profits of *khas* lands have undoubtedly come down. What might have been reasonable assessment of *khas* lands may now be a source of difficulty. There are other factors as well. After duly considering all these factors we have come to a final decision and a communiqué will be issued in to-morrow's paper. I may as well announce the contents of that communiqué by reading them out. The communiqué is a comparatively short document. The order refers to Khulna, Pabna and Bogra—to Khulna because the increase was considerable and the principal crop there is only paddy, to Pabna because there also the increase was fairly large and there are specific local difficulties, *viz.*, failure of crops and so on, and to Bogra because the increase was considerable and there were specific causes like failure of crops in particular years. The communiqué runs thus—

"It has come to the notice of Government that owing to the recent revaluation operations in the districts of Pabna, Bogra and Khulna, the cess demands of these districts have increased considerably and that owing to the fall in prices of agricultural produce, the want of cash due to present economic conditions and the occurrence of severe floods in the former two districts in 1931, the collection of cesses in all the three districts has fallen into heavy arrears. The question of affording relief, has, therefore, been under consideration of Government and of the district boards concerned. The district boards of Khulna and Bogra have passed resolutions to the effect that the rate of road cess for the year 1933-34, should be reduced from 6 pies to 4½ pies per rupee. The Governor in Council has decided to sanction their proposal and also to reduce the rate of public works cess from 6 pies to 4½ pies per rupee for 1933-34 in these districts. The district board of Pabna has passed a resolution to the effect that the rate of road cess in that district should be reduced to 3 pies per rupee for the

year 1933-34, and the Governor in Council has decided to sanction the proposal. Thus the total rate for cesses in the three districts of Pabna, Bogra and Khulna for the year 1933-34, will be reduced from one anna to nine pies per rupee. The question of granting relief in respect of arrears accumulating up to the end of 1932-33, has also been under consideration. It is not considered desirable to grant relief by way of remission since such a course would benefit only those who have not already paid the cess due from them. It has, however, been decided that in these three districts time should be allowed to those who have by 30th April, 1933, paid the arrears for the period prior to 1932-33 and 75 per cent. of the amount due for 1932-33. The Collectors of these districts will have discretion to grant time also in the case of defaulters who have by 30th April, 1933, paid up the arrears for the period prior to 1932-33 and not less than 60 per cent. of the amount due for 1932-33, if they can satisfy the Collectors that for good cause, they are unable to pay more. In those cases in which time is granted it will, however, be subject to the condition that 50 per cent. of the arrears are paid within the year 1933-34 and the remaining 50 per cent. in the first six months of the year 1934-35. The interest leviable on arrears of cess will be waived on sums duly paid within the extended time.

Sd. H. C. V. PHILPOT,

Secretary to the Government of Bengal."

The question of affording relief has, therefore, been under the consideration of Government and of the district boards concerned. The district boards of Khulna and Bogra have passed resolutions to the effect that the rate of road cess for the year 1933-34 should be reduced from six pies to 4½ pies per rupee. The Governor in Council has decided to sanction their proposal and also to reduce the rate of public works cess from 6 pies to 4½ pies per rupee for 1933-34 in these districts. The district board of Pabna has passed a resolution to the effect that the rate of road cess in that district should be reduced to 3 pies per rupee for the year 1933-34, and the Governor in Council has decided to sanction the proposal.

Thus the total rate for cesses in the 3 districts of Pabna, Bogra and Khulna for the year 1933-34 will be reduced from one anna to 9 pies per rupee. The question of granting relief in respect of arrears accumulating up to the end of 1932-33 has also been under consideration. It is not considered desirable to grant relief by way of remissions since such a course would benefit only those who have not already paid the cess due from them. It has, however, been decided that in these 3 districts time should be allowed to those who have by

30th April, 1933, paid the arrears for the period prior to 1932-33, and 75 per cent. of the amount due for 1932-33. The Collectors of these districts will have discretion to grant time also in the case of defaulters who by 30th April, 1933, paid up the arrears for the period prior to 1932-33 and no less than 60 per cent. of the amount due for 1932-33, if they can satisfy the Collectors that for good cause they are unable to pay more. In these cases in which time is granted, it will, however, be subjected to the condition that 50 per cent. of the arrears are paid within the year 1933-34, and the remaining 50 per cent. in the first six months of the year 1934-35. The interest leviable on arrears of cess will be waived on sums duly paid within the extended time. So that the mover of the motion will find that for the next year the cess-payers will have to pay three-fourths of the cess, and only to those who have already paid three-fourths during the current year, further time, 18th months' time will be given, half will have to be paid during 1933-34 and the other half within the next six months of 1934-35. But those who have not paid the whole of the 75 per cent. will not be granted time to pay. So that will give ample relief to the cess-payers of Khulna.

I hope the mover after what I have stated will withdraw his motion.

The motion was then, by leave of the House, withdrawn.

Mr. PRESIDENT: There will be one discussion on motions Nos. 23, 25, 26 and 30.

Maulvi HASSAN ALI: I beg to move that the demand of Rs. 77,000 under the head "5A—Charges of administration—Road cess, valuation and revaluation establishment" be reduced by Rs. 100 (to draw the attention to the undesirability of carrying on revaluation proceedings in the present distressing economic situation in the country).

Similar motions have been tabled from time to time for discussion in this House. I, therefore, think that I need not waste much time by repetition of those arguments, with regard to the method by which the revaluation proceedings are being carried on in the country. Sir, with regard to the valuation of lands, I shall only stick to the fact and show in what manner the valuation of land is being made when the assessment is made during revaluation. I only need say, Sir, that the valuation of lands is made by the valuation officers in a most sweeping manner and sometimes in the most whimsical way, and consequently, assessments have increased from 4 to 25 times in some districts, especially in my district, Sir, the tenants paying Re. 1 *jama* have got to pay a cess of Rs. 4. This is only illustrative of very many cases of this nature. It is known to all of us, Sir, that the valuation of

land has decreased considerably owing to the present economic distress of the country and so I appeal to the Hon'ble Member in charge of Revenue that something should be done to put a stop to this sort of whimsical carrying on of the valuation proceedings.

Haji BADI AHMED CHOWDHURY: I move that the demand of Rs. 77,000 under the head "5A—Charges of administration—Road cess, valuation and revaluation establishment" be reduced by Rs. 100 (to raise a discussion why the Chittagong Revaluation Officer is not giving effect to the motion passed in the Council, dated the 15th March, 1932, that the excessive cess should be reduced owing to the decreased price of paddy and jute and hence the value of land has also decreased).

He made a speech in Bengali of which the following is a translation:—

Sir, in connection with the motion for a cut of Rs. 100 from the demand of Rs. 77,000 for the road cess valuation establishment I would like to point out that under the present economic depression in the country, it has become extremely difficult to collect the amount of cess that has already been fixed. Notwithstanding this, the amount of cess is being farther raised at various places. Let us take the case of Chittagong. There, the annual value of land was estimated at Rs. 5 or 6 per acre and the cess was assessed on that basis. At present, however, the price of paddy which is the staple crop has gone down considerably, and there has been in consequence a corresponding fall in the value of land. Hence, it is quite in the fitness of things that cess should be assessed by fixing the valuation of land at an amount much less than what it was previously. In the district of Chittagong the cess revaluation work has been going on from 1929, but the cess having been fixed very high, a motion was brought forward in this Council on March 15th last. This motion was carried by a majority of votes. In spite of this motion and of the economic depression the officer in charge of revaluation work in Chittagong has been fixing the cess, assessing the value of the land at Rs. 10 per acre, I advised a number of ordinary men to apply to the officer-in-charge of the valuation work through the district collector for assessment of cess at a reduced rate. In the applications made by these persons under my advice, reference was made to the motion that had been accepted by this Council in this connection, as also, to the fall in the price of paddy and of land in Chittagong. But the Collector of Chittagong issued a notice denying that remissions were being granted to those who had applied for reduction of cess under my advice and stating that cess and rents for the current year were being and would continue to be collected as usual.

This shows that district collectors take no notice of the motions that are accepted in the Council.

I, therefore, hope that in the light of the motion accepted last year, you will do what is needful with regard to the assessment and collection of cess in future, and thus save the *zamindars* and the tenants from various troubles.

Raja Bahadur BHUPENDRA NARAYAN SINHA of Nashipur: I beg to move that the demand of Rs. 77,000 under the head "5A—Charges of administration—Revaluation, road cess" be reduced by Re. 1 (the undesirability of fixing maximum rate for the public work cesses at the present time of economic distress).

Formerly, there were two Acts, one the Road Cess Act, passed in 1871, and the other the Public Works Cess Act, passed in 1877. The first Act related to the construction charges and maintenance of district communication and roads, and the second related to works of public utility. When these two Acts were introduced the Member-in-charge assured the House that the maximum rate would be levied occasionally on the particular demand of a particular district. These two Acts, later on, were consolidated to one Act, *e.g.*, the Cess Act of 1880. Under section 6 of the Cess Act the maximum amount of cess leviable has been fixed, namely, 1½ annas for each cess. Here also at the time of the introduction the Hon'ble Member-in-charge assured the public that only in case of necessity the maximum rate will be levied, and not otherwise; and accordingly in practice, also we have found that the cess had been levied at the lower rate and not at the maximum rate. The word "necessity" is a vague term, an elastic one. The necessity of a district or of a province can never be met and it will never be ended even if all the wealth of the province, or of India, be placed at their disposal. Even in Western countries where large sums are spent for nation-building departments, they still want money for improvement. The true interpretation of the word "necessity" would be that the demand should be in proportion to the capacity of the people. Sir, we find for the last 20 or 25 years, the maximum amount has been levied in each case without any consideration as to whether the people are capable of paying at that rate or not. Under section 38, the district board fixes the amount to be levied as road cess and under section 39, the Government fixes the amount to be levied as public works cess. In these times of economic distress when the tenants are incapable of paying their rents, it will be hard on them if the maximum amount be fixed. As a matter of fact, we find that some of the district boards, the district boards of Khulna, Bogra and Pabna for instance have already taken the lead to reduce the rate of the road cess, but they have no power to fix the rate of the public works cess which has been left with the Government. Other district boards are waiting for the decision of Government in this matter,

Even if the district boards fix one rate and the Government may fix another, then practical difficulties will arise in realising the cess, for it may be in decimals and fractions which it will be difficult to realise in Rs. as. p. So in practical politics it is desirable that both the Government and the district boards should fix the same rate as to public works cess and road cess. For this reason I appeal to the Hon'ble Member to look into the matter and see that the rate of the public works cess be not levied at the maximum rate at the present time. And if any proposal for the reduction of cess be forthcoming from any other district board, it should be considered and the Government too should fix the public work cess at the same rate as proposed by some particular district boards.

The Hon'ble Sir PROVASH CHUNDER MITTER: Apart from the common element in motions Nos. 23, 25 and 30, one specific point has been raised in No. 23 to draw attention to the undesirability of carrying on revaluation proceedings in the present distressing economic situation in the country. Before I deal with Nos. 25 and 30 and the common element underlying both of them I will say a few words on this particular point, namely, the undesirability of carrying on revaluation proceedings in the present distressing economic condition of the country. We are aware that for the last two years or perhaps a little more the economic condition has been anything but satisfactory. Government are painfully aware of this fact as is evident from the budget speeches of the Finance Member of last year and this year. We have seen that Government revenue has fallen by Rs. 1,72 lakhs last year and this year's figures are quite fresh in your minds. All sections of society are affected by the economic depression; *zamindars*, agriculturists, tenure-holders, professional men, merchants, traders and every one else have been affected and that is a common factor from which every one is suffering but it is necessary for all to try to adjust themselves to the changed condition. But signs are not wanting to show that people are trying to adjust themselves. In these circumstances Government did not feel justified in undertaking reassessment and revaluation in districts where the work had not been started but in districts, in Chittagong for example, where the work was started three years ago, and in Birbhum where the work was started two years ago just at the beginning of the economic depression, it would have been a loss to everybody concerned, to the district boards and to the cess-payers, if assessment were stopped because the district boards have to pay for the costs and ultimately the district board's income has got to come from the cess payers.

I will point out, however, the general position with regard to some of these districts. Cess revaluation operations are in their final stages in portions of Birbhum, Bakarganj and Chittagong, and in a small portion of Tippera. In Birbhum up to the end of the year 1931-32,

445 estates and 1,762 tenures were completed and the total increase in valuation was Rs. 6,558 or 14·7 per cent. The operation started on the 25th September, 1931, with a programme of three years. In Bakarganj only 33 Government estates, 115 temporarily settled and 27 permanently-settled estates were taken up, the resultant increase being Rs. 15,000. So the members will realise that both in Birbhum and Bakarganj it was a small increase, 14·7 per cent. in one and 15·1 per cent. in another. Then in Chittagong 1,571 estates were under revaluation and up to the end of 1931-32, 1,517 estates had been completed resulting in an increase of 54·46 in valuation and 82·82 in cess. In Tippera 738 estates and 17,658 tenures were under revaluation of which 719 and 16,095, respectively, were completed up to the end of 1931-32, resulting in an increase of 12·28 per cent. in assessment. That also is not high. General instructions were issued by the Board of Revenue on the 31st October, 1932—and the complaint of Haji Badi Ahmad Chowdhury that no notice was taken of the resolution passed last year is not justified—The board did take into consideration the difficulties and and the resolution was passed on economic difficulties—and this was the instruction issued by the board on the 31st October, 1932. That in the districts of Birbhum, Murshidabad, Chittagong and Bakarganj, where revaluation operations were in progress, section 24 of the Cess Act should be sparingly used against *raiyats* who are *bona fide* cultivators even if they have sub-let permanently not an inconsiderable portion of their land. *Raiyats* would be treated as tenure-holders only if the following three conditions are all fulfilled—

(*a*) the area of the holding is more than 5 acres,

(*b*) the average rent is less than Rs. 4 an acre, and

(*c*) the area sub-let is more than 20 per cent. of the entire area.

Khas lands of *zamindars* and tenure-holders which are cultivated should be assessed on the basis of average rates paid by cash-paying occupancy *raiyats* only and rents paid by produce-paying tenants should not be taken into consideration, though for the villages and estates not yet done, the rents should not exceed Rs. 6. In estates already done where *khas* lands are numerous lump deductions should be made. Detailed instructions for carrying out this part of the order were given. *Khas* lands which consist of waste or jungle or *beel* should be valued at nominal rate

Maulvi SYED MAJID BAKSH: Was that issued to all the districts?

The Hon'ble Sir PROVASH CHUNDER MITTER: Only to the districts where cess revaluation was going on. I will come to the

question of all the districts later on but that is not the subject-matter of the motions under discussion. As regards the districts where cess revaluation is going on we have given adequate relief. This relief might not have been given and would not have been given but for the depressed economic condition. In the matter of assessment of revenue, which is a 30 years' business, one set of principles apply, while in the matter of assessment of cess which is a 5 years' business, out of which 3 years have already elapsed, another set of principles will apply but so far as *khas* land, *barga* land and fixed *jamas* are concerned the position is different. Therefore, I submit that we have taken due notice of the economic depression but we could not reduce the rates without the consent of the district boards. The district boards are entrusted with certain duties cast on them by an Act of this Council. Therefore, if it be a question of reduction of rate, which is aimed at by the Raja Bahadur of Nashipur's amendment then it can only be considered if the district boards primarily move in the matter but there are other factors also. The district board is primarily responsible but the Local Self-Government Department of Government is also responsible. If any application like this has to be considered the initiative in the first instance must have to be taken by the district board, then it will be examined by the Local Self-Government Department, then by the Revenue Department and to a certain extent by the Finance Department. The Revenue Department has got to be satisfied that such a resolution is not merely the result of yielding to clamour but that the position is really such that a resolution of that character is justified; the Local Self-Government Department will have to be satisfied on certain points. I will not repeat what I have already said except to emphasise the fact that every district board resolution of a similar character will be subjected to careful scrutiny. Therefore with regard to the motion of the Raja Bahadur of Nashipur, who is ever alive and ever alert to the landlords' interests in this Council, I may say that the Revenue Department, representing Government, must look to the interest of everybody, landlords, agriculturists, tenure-holders and the district boards and then come to a suitable decision. If the initiative is taken by the district boards there would not be any difficulty of the kind apprehended by the mover, because we know very well that there will be practical difficulties if there be different rates. In all the three cases about which Government have been able to take action the net result is 9 pies but it may be that in many districts there will be no case for reducing 12 pies even to 11 pies, and in some districts there may be a case for reducing it from 12 to 10½ pies, but not to 9 pies. Each of these must be preceded by a resolution of the district board but merely because a district board has passed such a resolution it does not mean that it must be automatically accepted by Government. The resolution of the district board is merely the preliminary step. If such a resolution

be passed we must examine the resolution on its merits and take into account the capacity of the people to pay and the word "people" includes landlords, tenants and everybody. That is the business of the Revenue Department; it is the business of the Finance Department to consider its repercussions on other financial questions. In view of what I have informed the House, I think, the movers of the amendments Nos. 23, 25 and 30 will be well advised to withdraw them but if they do not I must oppose them.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: On a point of information, Sir. May I ask if the resolution passed by the district boards of Khulna, Bogra and Pabna will be accepted by Government?

The Hon'ble Sir PROVASH CHUNDER MITTER: A communiqué has issued on the subject.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: In view of that acceptance I beg to withdraw my motion.

Babu KISHORI MOHAN CHAUDHURI: May I be permitted to draw the attention of the Hon'ble Member to one point? In valuing waste lands it is stated by the Hon'ble Member that a nominal value is to be assessed but no profit is derived by the landlord from waste land. There is another difficulty. From old tanks which are really used for irrigation purposes, the landlords get nothing but these tanks also are assessed at the same rate.

Mr. PRESIDENT: You will have an opportunity of bringing up this matter later on.

The motion of Maulvi Hassan Ali was put and lost.

The motions of Haji Badi Ahmed Chowdhury and Raja Bahadur of Nashipur, were then, by leave of the Council, withdrawn.

Mr. P. BANERJI having risen to move his motion——

Mr. PRESIDENT: Mr. Banerji, please remember that the discussion must be restricted to the question of Diamond Harbour only. The other portion of your motion comes under another group and you will have an opportunity of discussing the matter covered by it later on.

Mr. P. BANERJI: Sir, I beg to move that the demand of Rs. 77,000 under the head "5A—Charges of administration, road cess, valuation, re-valuation, establishment" be reduced by Rs. 100 (to raise

a discussion on the road cess policy of the Government in the Sundarbans area of Diamond Harbour subdivision of 24-Parganas District).

In doing so I want to submit that no benefit is derived by the people of Diamond Harbour and the Sundarbans area for the cess levied on them or paid by them.

The Hon'ble Sir PROVASH CHUNDER MITTER: On a point of order, Sir. In our budget estimate there is no estimate of any cess being assessed for the 24-Parganas. Diamond Harbour is included in the 24-Parganas. Can the hon'ble member raise the question now? We are not asking the Council to give us any money for this purpose.

Mr. PRESIDENT: I do not think this question arises and therefore it is out of order.

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of order, Sir, Are we to understand that every motion of an individual grievance or specific grievance should be first finished before you take up the general question?

Mr. PRESIDENT: Yes, that was my ruling.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: I formally move the motion that stands in my name, namely—

"That the demand of Rs. 77,000 under the head '5A—Charges of administration—Road cess, valuation and re-valuation establishment' be reduced by Re. 1 (the necessity of framing rules so as to supply copies of the valuation rolls written in ink to each tenure-holder free of charge and to accept the same as a legal evidence in rent suits)."

Under section 35 of the Cess Act notices of the revaluation of cess have to be sent to the landlords, tenure-holders or other persons informing them of the new revaluation. But in practice we find that these notices are written in pencil, and are so much unintelligible that it is impossible for any one to read what is written therein. Even with the highest powered microscope one cannot discover what is there. To support my contention I have already sent some samples of these notices beforehand to the Hon'ble Member to show how the cess revaluation officers are working in this section. Sir, these notices are very important for the persons concerned namely, the tenureholder, and also to the occupancy-holders. At this stage, I would say to clear up doubts, if there be any, that my motion has been sent not only for the benefit of the tenure-holders and *raiyats* but also for the benefit of the occupancy-holders as well. These notices, as I have already said, are

written practically by lead-lined pencil with the result that the tenure-holders and the occupancy-holders have to take certified copies at an enormous cost. Sir, doubts have been expressed though I do not believe that this is a trick of the Government officers in order to enforce the tenure-holders and occupancy-holders to take certified copies at enormous cost. Whatever it might be, in practice we find that notices are not sent properly written and that is the grievance. Sir, apart from this, it is curious that these notices are not, though in some cases they are, treated as legal evidence in the law courts. In some cases they are not at all accepted as legal evidence. Some courts insist on certified copies with the result that the litigants have to take certified copies at enormous costs and these are recovered from poor tenants for the benefit of neither party: In the case of holders of the rent-free tenures, cess varies from one or two pies to a few annas, and if certified copies have to be taken, it means an extra cost of two or three rupees. When the sum is added to the decree, the rent-free holder has to bear and has to pay an enormous sum of two or three rupees in place of two or three annas. Just consider what an injustice has been done to them. My suggestion to the Hon'ble Member is that he should see that these notices are written in ink and that they should be allowed to be used in courts as evidence so that the rent-free holders or other persons will not have any case for grumble about taking certified copies and consequently they will have not to bear unnecessary cost. Now, Sir, the landlords and other persons are realising cess on behalf of the district board. They are practically the agent of the district board. One can naturally expect at the same time that when they are realising cess for the district boards they can demand an account from them. The tenure-holders are also anxious to get an account and they can justly demand an account. The occupancy-holders under the Bengal Tenancy Act, are treated as tenure-holders under the Cess Act. So they are also in need of these accounts to know how much the valuation has been assessed and how much cess has to be paid. My another suggestion is that these notices should be given free to all persons interested in the payment of cess. May I make one practical suggestion that will cost Government or district board much less, *e.g.*, if the valuation roll be printed as is done in the settlement records, and distributed free to each and every person? With these few remarks I appeal to the Hon'ble Member to consider this question and my practical suggestion. A grave injustice has been done for the negligence of the valuation officers for which the landlord, tenure-holder and the occupancy holders have suffered. A demand of a statement of an account from the person or from the corporate body on whose behalf the cess are realising without any remuneration is the most reasonable one. And the supply of this statement should on no account be withheld. If the Government do not hear, I can say without

any fear of controversy that a great injustice will be done on their part, for which no explanation can be heard.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I confess that the particular copy of the notice referred to by the Raja Bahadur, was anything but legible; but I do not want the House to run away with the idea that all copies are illegible, I have seen many other copies which are fairly legible. Be that as it may, the Revenue Department in consultation with the Board and other officers of Government are going into the matter and I may tell the Raja Bahadur and the members of this House that if we find that there will be a definite improvement and the cost is not anything too much, we may be inclined to accept the suggestion of the Raja Bahadur, but I cannot make a definite promise. The specific suggestion of the Raja Bahadur, namely, that the system followed in settlement proceedings should be adopted, will be examined. In settlement proceedings these copies are printed and a charge is levied but an exception under the Court-fees Act is granted. All these matters will be examined and we may have to consult the Local Self-Government Department and, if need be, the district boards, as these assessments are done at the cost of the district boards. Therefore I cannot make any promise, but the Revenue Department and the Board will go into the matter very carefully.

The motion of the Raja Bahadur of Nashipur was then, by leave of the Council, withdrawn.

Maulvi ABDUL HAMID SHAH: I move that the demand of Rs. 77,000 under the head "5A—Land revenue—Road cess valuation and re-valuation establishment" be reduced by Rs. 100 (desirability of amending the Cess Act in the near future).

He made a speech in Bengali of which the following is a translation:—

"Mr. President, in bringing the motion for a cut of Rs. 100 from the demand of Rs. 77,000 for the road cess valuation and revaluation establishment, I would like to draw attention to the necessity of immediately amending the Cess Act. Ever since our election to this Council we have spared no pains to dwell upon the harm that is being done by this musty Act to all sections of people, namely, the *zamindars*, *talugdars* and ordinary tenants, etc., and the Hon'ble Revenue Member promised every time that the Act would be amended, but up till now these promises have not been fulfilled.

Enough has already been said about the serious defects of this Act. No further analysis of these defects seems to be necessary. I would only earnestly request the Revenue Member to take immediate steps to revise the Cess Act and thereby earn the gratitude of the people."

Babu KHETTER MOHAN RAY: Mr. President, Sir, that the Cess Act of 1880 (B. C.) urgently requires revision has been repeatedly brought to the notice of the Government by resolutions and by interpellations. This subject was recently discussed in the Council by a resolution. The principal grievances against the working of the Cess Act are twofold, namely, mode of valuation of the land for the purpose of assessment and mode of collection of cesses. As regards the valuation, I may point out that the provisions of law relating to valuation and the manner in which they are carried on are defective and have worked hardship upon the landlords and tenants. As an instance I may be permitted to mention that in the district of Khulna under the revaluation proceedings held recently the total cess of the district was raised from about Rs. 2,00,000 to about Rs. 6,00,000. The figures speak for themselves. I need not make comments on them. We cannot conceive any circumstances by which the valuation of the lands in that unfortunate district could be so enormously raised. There must be defect in the provision and the procedure which led to these monstrous and disastrous results under which the people of that district are groaning. All conceivable *khas* land including cultivated, uncultivated, waste, *beel*, jungle, *khal*, *gopat* and grazing lands are summarily valued according to the whims and caprices of the cess revaluation officers concerned without paying any attention to the fact whether a particular land is capable of being brought under cultivation or not. After the settlement proceedings it is not at all difficult to ascertain the quantity of land recorded in *khas* possession of the landlords. When this is once ascertained, the revaluation officer at once proceeds to value the land, regardless of the fact that many of the land do not and cannot yield any produce whatever in spite of the best efforts on the part of the *zamindar*. As regards the tenanted lands, if any piece of land, however small in holding is found to be let out to an under-*raiyat* the *raiyat* is called upon to submit a return. As a matter of rule the *raiyats* who are illiterate do not submit returns and the valuation of the holding is summarily done. The results are very disastrous for the *raiyat*. Similarly, *raiyats* whose annual rent of the holding exceeds Rs. 100 are also served with notice to submit returns. In case of failure they are also summarily assessed.

Sir, these provisions of law were enacted more than 50 years ago. In the meantime the circumstances of the country and character of land have quite changed. It is quite clear that in the altered state of things the provisions are working great hardship on the landlords and the tenants. It is quite desirable that the law relating to valuation should be revised to suit the altered condition of the country.

I am now coming to the mode of collection. At present the *zamindars* are bound to collect and pay the cesses according to the

kists in the treasury of the collectorate. Whether the *zamindars* are able to collect the cesses from the tenants or not, he must pay them regularly in the treasury. In default, his movables and other properties are liable to be sold. *Zamindars* do not derive any profit or get any remuneration for collection of cesses. He must work gratis and if he fails to collect cesses and makes default, his properties are liable to be sold. The *zamindars* have been complaining of the hardship to which they are subjected by the duty of collecting and paying the cesses, cast on them by law. They have been praying for being relieved of this duty. But to their misfortune the Government seems to be indifferent or do not find any way to afford any relief to the *zamindars*. Difficulties of the *zamindars* have increased enormously in the present state of economic depression when the tenants fail to pay regularly their rents and cesses. It is said that if the *zamindars* are absolved from this duty and the Government takes upon itself the duty of collecting cess, costs of direct collection would tbe enormous. The Hon'ble Member in charge of Revenue was telling us the other day in connection with a resolution moved by the Maharaja of Dinajpur that the costs of direct collection would be about Rs. 30 lakhs and he was pleased to invite suggestions which would be acceptable to the Government and the House. He promised such suggestions would be seriously considered by the Government. But I may tell the House that if the Government is serious in this matter, surely a way may be found to relieve the *zamindars* from the present state of embarrassment and difficulties. At present our country is spread over with the union boards and union committees. These boards and committees are collecting *chaukidari* and other taxes from the villagers. If the task of collecting cesses are assigned to these bodies, collection of cesses may be made at very small cost. Circle officers are appointed to revise the work and audit the account of these bodies. It will not cast heavy burden on the circle officers as at present their duty is very light. In order to facilitate the work of collection, these circle officers may be empowered with the powers of a certificate officer. By this mode of collection cesses will be more speedily and regularly collected than by the present system of collection. For instance, a *raiyat* who pays Rs. 50 as annual rent of his holding will have to pay Rs. 1-9 as cess along with the rent. If the collection of cesses is separate from the collection of rent, it will be very easy for the *raiyat* to pay cesses which amount to a very small sum. Besides sooner or later primary education cess will be levied. If these two kinds of cesses are collected separately from the rent which is always larger the *raiyats* will find it more convenient to pay the cesses. My suggestion may not be an ideal one. But I beg to suggest that if the Government works on the line as barely outlined above, surely the Government will be able to evolve a scheme which will be satisfactory to all.

I hope and trust that the Government will give utmost consideration to my suggestion for what it is worth.

MUNINDRA DEB RAI MAHASAI: Sir, the revision of the Cess Act is long overdue. The revision must be thorough. The whole policy has got to be changed. It should relieve the *zamindars* from the responsibility of realising cesses. A grave injustice is being done to the *zamindars* by imposing on them the heavy burden of realisation of cesses. I should like to ask the Hon'ble Member to take into his consideration the sad plight of the *zamindars* not only during these years of dire economic distress but ever since its imposition. The *zamindars* labour under various disabilities in the realisation of their rents and the additional burden of realisation of cess is tending to their ruination. The Government have got their handy certificate procedure to realise cesses from the *zamindars*, while the *zamindars* have to depend upon the civil courts for their realisations. The law's delays are proverbial in this country. If a tenant so desires, he can defer payment on some pretext or other under cover of law for an indefinite period, but the Government would not care to see whether the *zamindars* can realise or not. They would issue certificate after certificate *kist* by *kist* and realise the same from the *zamindars* by the sale of their movables or immovables or by putting them into prison. The Hon'ble Member is no doubt aware of the large number of estates that have been sold for arrears of cesses alone. You impose a burden on the *zamindars*—too heavy for them to bear—and you make their lives miserable by putting them to all sorts of indignities for the realisation of cesses. You do not care for the troubles and difficulties they experience in their realisation. Barring a few you do not allow them to enjoy the same facilities of realisation as you have got. This is a grave act of injustice which requires early redress. I should, therefore, like to ask Government to thoroughly revise the Cess Act on the lines suggested by me, that is, by relieving the *zamindars* from the responsibility of realisation of cesses. The district boards can conveniently realise the cesses through the union boards at less cost than that incurred by the *zamindars* or the Government can devise any other means of realisation. Pray do not help in the ruination of an important community whose valuable services to the State are too numerous to recount. Pray mete out justice and save them from unnecessary worries, anxieties and troubles to which they are being constantly subjected.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, may I know when my motion No. 11 is likely to come up? As I take it, you, Sir, decided that 11 would come first and then 13.

Mr. PRESIDENT: I have already chosen 13, but having regard to the time at our disposal I think I should allow under that motion a

discussion on the cess policy of Government. The line of demarcation I drew between the two is after all very thin.

Khan Bahadur Maulvi AZIZUL HAQUE: May I then speak on this, Sir?

Mr. PRESIDENT: Yes, you can.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I am afraid I do not agree with the point of view which has just been put forward, namely, that landlords should be relieved of the responsibility of collection, because that is a matter which is so inter-connected with many other matters that I think it would be too late to approach the amendment of the Cess Act from this point of view. There is another point of view for which relief is needed and an amendment of the Cess Act is urgently required; and it is that aspect of the question to which I wish to draw attention, namely, the question of the incidence as between landlord and tenant. I am quite aware of the fact that the Hon'ble Member in charge of the Revenue Department has for some time past been busy in inviting opinions on the subject. All that I suggest is that the matter is so urgent that Government should not wait *ad infinitum* simply inviting opinions, but come to a decision one way or the other as to how the incidence is likely to affect the different classes of people in the future. There have been suggestions notably by our friend, Mr. Thompson, who was a distinguished Settlement Officer, and his opinion is accepted by a good section of the people. Whether that opinion is accepted or another opinion is wanted, we want the Government definitely to come out with a statement as to how in the economic circumstances the incidence of taxation, so far as the cess rate is concerned, would affect the different classes of people; and it is from that aspect of the question that I gave notice of my motion with a view to know from Government as to when it definitely wants to bring forth the new amending Cess Bill. I know that the Hon'ble Sir Provash Chunder Mitter is likely to retire some time in August when the next session will be held. If the matter be not taken up before his retirement, the new Member will be so ignorant of the state of affairs that there may be further delay. What I suggest is that Government should carry this measure with a continuity of policy and that Sir Provash will see to it so long as he is here, so that a final scheme can be introduced in some form or other in the July session. I have been emphasising that point for that reason. It is from another aspect of the question that I want to approach the matter. Much has been said in this House about the difficulties of the landlords, but there is another class of people who form the backbone of every country, namely, the middle class. What the effect of the Cess Act has been on them has not been touched

upon by any speaker. I speak on this matter from my own personal experience because I feel that if the question is to be at all approached, it should be approached from the point of view as to how it affects the middle classes. Revaluation proceedings have proved ruinous and disastrous to the middle class people. I do not mean to say that it has been deliberately done by Government. Government did not realise what its ultimate result would be. But now the rules and regulations have been so framed that it practically means disaster to the middle classes, and they are going to get the worst of it. I am afraid the middle classes will be practically extinguished, and in its place there will arise another class of people who will try to make money from the land, and who will try to get all their profit from the land. I want that a timely remedy should be found because, after all, it is entirely due to the land system that this class of people who have a grave stake in the land, who have devoted their lives to the land, are suffering. I wish Government will discover some remedy so that the men in the middle between the tenant and the landlord, as also the body of agricultural people—actually cultivators—will be saved from the disaster which is sure to come unless the Act is amended.

(The Council was then adjourned for 10 minutes.)

(After adjournment.)

The Hon'ble Sir PROVASH CHUNDER MITTER: Babu Khetter Mohan Ray has addressed the House on two points, namely, the mode of assessment and the mode of collection. About assessment, I do not want to go into the details of the suggestion I had from the conference. Many members of this House were members of that conference, but I may say generally, that practically the unanimous recommendation of the conference has been such that I, at any rate, hope that much of the present difficulties of assessment will disappear when the Cess Act is amended. Broadly speaking, the House knows that in the Act of 1871 and that of 1881, the intended system was a percentage of net profits. Well, that is no doubt the system with regard to the cash rent portion of the *zamindars* and the tenure-holders, but with regard to the *khas* lands, it is based on summary valuation. With regard to many agricultural *raiyats*, net profit is certainly not the system, although the Hon'ble Mr. Schalch said in 1871 that that was the system with regard to agricultural tenants as well. He said that one-third represented rent, one-third profits, and one-third cost of cultivation. Now, with our better knowledge about the position of the peasant, we know that nothing can be wider off the mark than this, but I do not blame him. In 1871 there was no record-of-rights and very little of definite information and so he had no materials to go on. Therefore, the new mode of assessment, which is based on certain modification of a suggestion

originally made by Mr. Thompson, has been accepted by all parties in that conference, by members of the *praja* party, members of the landlords' party and others. I have had very valuable assistance from these various interests, but I will not go into details as it is not possible for me to do so in a short speech before this House. The broad principle is to get rid of the difficulties of assessment which we undoubtedly have at the present moment. Now, Sir, as regards the mode of collection, it has been suggested by Mr. Khetter Mohan Ray and certain other gentlemen that the landlords ought to be relieved of the responsibility of collection. I am afraid even amongst themselves landlords are by no means unanimous on this opinion. Some are of the opinion that if they give up the right to collect, they may find themselves in a position that the collector of cesses by use of the certificate procedure will more readily collect cess, and they will have greater difficulty in collecting their rents. That opinion has been expressed to me. The opinion on the other side has been equally strongly expressed by such eminent *zamindars* as the Raja Bahadur of Nashipur, the Maharaja of Dinajpur and others. It has been said by these landlords who do not want the collection to go out of their hands, that they do not want a perpetual co-sharer in their *zamindaries*, and that co-sharer represented by the actual collection of the cesses may be changing from time to time. How far that is the opinion of the majority of landlords, big and small, I do not know. Nor is it easy to ascertain this. On the other hand, those who are for relieving themselves of the responsibility of collection say that they have to pay the cesses, *kist* by *kist*, four times a year whether they can collect it from the tenants or not. As a matter of fact, generally speaking, they cannot collect to the full extent in two *kists*, and their responsibility will be even greater when the education cess will be in operation. This question was debated on a resolution moved by the Hon'ble Maharaja Bahadur of Dinajpur on behalf of the Raja Bahadur of Nashipur and I then pointed out that according to the estimates submitted by the Board of Revenue to the Revenue Department, the cost of direct collection would be roughly about Rs. 30 lakhs. At present the total collection is Rs. 85 lakhs. I then pointed out if the Rs. 30 lakhs goes for collection—the district boards have to function as they are functioning now—this Rs. 30 lakhs has to come somewhere, and it is extremely likely that both the landlords and tenants will have to pay it. How far the tenants will agree to it, is a matter for the *praja* party to say. This question has been discussed to some extent in the conference, but I cannot yet say whether we shall make this a definite item for amendment. Therefore I suggested that if I could get definite suggestions, I would be prepared to get them examined by our expert officers. Not only that, no measure will be passed by this House and Government shall not take any controversial measure

unless it is satisfied that there is a fair amount of unanimity of opinion on the justice of the case. I should like to have some constructive suggestions. So far I have heard only two suggestions, one a definite one by Babu Khetter Mohan Ray; that suggestion was also put forward by the outside public. One of the suggestions relates to the collection of cess by union boards, in the same way as they collect *chaukidari* taxes. With regard to that I may point out that a *zamindar* or big tenure-holder may have a property in two districts; he may have a property in 20 union boards, but he may not be a resident of any union board. How is the union board to collect the tax? The same argument may apply to many *zamindars* who may be technically residents of a union, but who may, as a matter of fact, live 12 months of the year in Dacca or Calcutta. Assessment of cesses is on property and not on persons as in the case of the *chaukidari* tax and many petty tenure-holders and even agriculturists may not actually live in the union. The properties of these small people too may be in several unions. The union boards, therefore, have not the same facilities for the collection of cesses as they have for the collection of *chaukidari* taxes.

The other suggestion is that the district board may be authorised to collect. Well, the union board suggestion may require a minute's consideration, and under proper conditions and with proper safeguards, it may prove to be suitable, but the district board suggestion is not worth a moment's consideration. Has the district board any staff for collection, and to provide for such staff, what will the cost be? The district board cannot manage at the same cost as the Collector can, because the Collector deals with all sorts of collections. The district board must have a separate staff and the cost will be far more than the Rs. 30 lakhs which was placed before me as merely an estimate and the work of collection by district boards is not likely to be efficient. I do not say we are not prepared to examine the matter; in fact we are. If you give us something which would be acceptable to the members of the *praja* party, to the landlords' party and those who are neither landlords nor tenants, we will be prepared to consider it If the landlords really want this, let them put their heads together and let them come forward with definite suggestions and I am always prepared to consider such suggestions. I am not prepared to consider mere newspaper paragraphs or empty speeches in the House. It must be something definite in black and white, and I will consider it, and discuss it with the various parties before Government comes to a final decision.

The Rai Mahasai made reference to the district boards and union boards generally. After the observations I have made, I do not think I need dilate on the Rai Mahasai's suggestion.

Khan Bahadur Asirul Haque has put certain questions; one of them is when the Cess Act is going to be amended, and another is

hat the incidence between landlords, tenure-holders and ryots, going to be and the third is the effect on the middle class cess-payer. I hoped that the Khan Bahadur would have been able to vote more time to the attendance of Cess Conference. He was an iginal member of the Cess Conference, but he had so many other pub-c duties to perform, that he could not attend most meetings of the con-rence. If he could have attended these conferences, very possibly would not have raised these points. If the Khan Bahadur wants put forward any definite suggestion, this is the time for him to it, as we are now drafting the Bill. In fact, I may inform the ouse that the Bill is in preliminary draft and we are examining it. is no good fighting over the Bill after it has been completed in ccordance with the recommendations of all parties, and I am sure e Khan Bahadur who is always anxious to put forward construc-ve suggestions will appreciate this. I can assure the Khan Bahadur hat any definite suggestions that come from him will be very care-ally considered, and the sooner I get them the better.

Babu Satish Chandra Ray Chowdhury was also an original member of the Cess Conference; he could not attend except on the last day and he made certain suggestions many of which he would not have made had he attended the earlier meetings. The Secretary, however, has written to him for his suggestions, but none has been forthcoming yet. I can assure the House that not a day will be lost, we are anxious to finish the things as quickly as possible, but it is no good promising to do such and such a thing by a certain date. Our present expectation is that we shall be able to introduce the Bill in the next session of the Council. It does not matter at all whether the present Revenue Member is then the Revenue Member or not. Government policy is Government policy, and it is determined by Government as a whole, the materials are there and there is every expectation that the matter will come before the Council next session. If the Khan Bahadur had seen the items of the conference, and in particular what Mr. Thompson pressed for, then perhaps he would not have troubled to put his third question, namely, the effect on the middle classes. The system is such that these questions cannot arise at all.

On the amendment question I do not think I can usefully add anything else, but I would like to point out that pending the amendment we have taken certain steps which we might or might not have taken if the amendment was not before Government and which we might or might not have taken if the economic depression was not with us. Those steps are calculated to tide over the difficulty during the intervening few months. There are some other matters about which motions have been tabled by members which they may not be able to move or I at any rate may not have an opportunity of dealing with. But I may say that even if the amending Bill cannot be introduced within a comparatively early date, the steps that we have

taken in the meantime will enable us to get over much of the difficulty experienced over the administration of the Cess Act. Sir, one word more and I have done.

A suggestion has been made that we were sleeping over the amendment question. That is not so. The problems involved in the amendment are by no means so easy as some members seem to imagine. The memorandum which we have prepared on the subject for our own use took immense labour and required close examination. We had to analyse the record-of-rights for many districts; we had to analyse the cess revaluation papers for many districts and if the conference were held a year earlier, we should not have been in such a satisfactory position as to be able to place before the conference full and proper materials, as those who are familiar with settlement proceedings and rural economy. Men like Mr. Thompson and Khan Bahadur Abdul Momin would, I hope, agree that it would have been far more difficult, but now with these materials before us we should have a much better grip over the realities of the position than we should have, say, a year earlier. Therefore that is one additional reason why I am hoping that the amending Bill will be placed before the Council next autumn or earlier.

The motion which stood in the joint names of Maulvi Abdul Hamid Shah and Maulvi Abdul Hakim was then put and lost.

At this stage the time allotted for the discussion of "5—Land Revenue" having expired, all other motions failed.

The main motion that a sum of Rs. 37,94,000 be granted for expenditure under the head "5—Land Revenue" was put and agreed to.

6—Excise.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I beg to move that a sum of Rs. 17,05,000 be granted for expenditure under the head "6—Excise".

In placing the demand before the House, besides giving a general resumé of the excise policy of Government during the last one year, I propose to explain the fall in excise revenue, to state how far we have succeeded in giving effect to some of the promises which I made last year to the House, and also to submit how far the recommendations of the Retrenchment Committee have been accepted by the Ministry to reduce the expenditure of the department.

As before, the policy has been one of maximum revenue for minimum consumption. Strict control has been maintained over the site and number of shops, and the hours of sale through the licensing

bonds, both in Calcutta as well as in the *mofussil*. In this connection I should mention that as I promised last year the Licensing Board for Calcutta has been reconstituted with two representatives of the Calcutta Corporation on it. The policy of encouraging educated young men to take excise licenses has also been followed. In pursuance of that policy the initial deposit has been reduced from 1½ months' fees to that of 15 days, so that the consumption of excisable articles, and consequently the excise revenue, has fallen considerably.

The decrease in consumption specially of country spirit is mainly due to economic causes, to the decreased purchasing power of the consumers owing to lower wages, fall in the price of agricultural products, the slump in jute, tea and coal industries which necessitated not only a reduction of wages on account of curtailment of working hours of the mills but also of the discharge of a large number of labourers.

Though the fall is generally due to economic causes, that in country spirit is largely attributable to an increase—an enormous increase, in illicit distillation in the districts of the Burdwan division, Calcutta, 24-Parganas, Murshidabad, Darjeeling and Jalpaiguri. The present retail selling prices especially in the industrial areas of Calcutta, 24-Parganas, Hooghly and Howrah appear to be too high in consideration of the reduced purchasing power of the people. Those who are addicted to drinking cannot afford to pay for it and naturally they take to illicit distillation or purchasing of illicit liquor. The present retail price of a bottle of 23 oz. of country spirit in the industrial areas is approximately Rs. 3-1 and in non-industrial areas Re. 1-5, while the price of illicit liquor varies from Re. 1 to Re. 1-8 in Calcutta and 12 annas to Re. 1-4 in the immediate neighbourhood of Calcutta, and far less in the outlying districts. These causes have brought about an increase in the consumption of illicit distillation and a fall in the consumption of licit liquor. Thus Government are gradually becoming doubtful of the policy of minimum consumption for maximum revenue. It is really minimum revenue from the consumption of minimum licit liquor. This has led Government to think seriously whether a change of policy is not now desirable. The budget estimate for the current year is Rs. 1,68,00,000. The revised estimate is Rs. 1,39,00,000 which is also the budget estimate for the next year. The expenditure also shows a slight decrease.

The revised estimate generally follows the sanctioned estimate small savings being anticipated under the head "Presidency establishment" owing to the non-utilisation in full of the provision for "Pay of officers" and "Contingencies" and under "Cost price of opium supplied to the Excise Department" due to smaller quantities of opium having been indented from Ghazipur than anticipated, owing to the fall in consumption. The partial withdrawal of the percentag

cut in salaries with effect from 1st April, 1933, accounts for the increased provision in the estimate for 1933-34 under the heads "Pay of officers" and "Pay of establishment". Provision for the cost of a Superintendent of Excise which it is proposed to abolish has been omitted and provision for smaller expenditure on "Rewards" has been made as a measure of retrenchment in the next year's estimate which otherwise generally follows the current year's revised budget estimate.

The Retrenchment Committee recommended that the number of district charges should be reduced from 25 to 16 and that 10 of these charges should be put in charge of senior inspectors. The question has been very carefully considered. The department have agreed to amalgamate Jessore and Khulna, Pabna and Bogra, besides the existing combined charge of Noakhali and Tippera. The number of excise charges outside Calcutta will thus come down to 23 in place of the existing number 25.

With regard to the question of reduction in the cadre of superintendents, the department have agreed to reduce the number from 21 to 16, viz., 2 Calcutta charges, personal assistant to the Commissioner of Excise, 12 district charges in place of 6 recommended by the Retrenchment Committee and 1 training reserve. It was not practicable to accept the recommendations *in toto* and we cannot weaken the department still further.

In recommending the grouping of districts for excise charges the Retrenchment Committee have taken the excise revenue, the number of shops and the number of excise prosecutions and the number of cases detected, as the criteria for judging the amount of work done in each district, but besides these points the other factors, *e.g.*, facilities of communications, extent of area, the distance between shops, the distance intervening between the headquarters and the station in which the officers are posted, malpractice of vendors, compactness or otherwise of the areas in which excise crimes are prevalent—these also should be taken into consideration in judging the amount of work in a particular district. The excise revenue is naturally an elastic one and close supervision over shops and subordinate staffs is always necessary to minimise the chance of leakage. Combination of district charges like Bankura and Midnapore, Hooghly and Howrah, Nadia and Murshidabad, Faridpur and Bakarganj, Chittagong-Noakhali and Tippera, Pabna and Rajshahi, Rangpur and Bogra, Malda and Dinajpur are not practicable in view of various difficulties which I do not propose to dilate upon at this stage. Apart from the objections against amalgamation of particular districts, the present is hardly a suitable time for weakening the supervising staff in view of the increase in illicit distillation, resulting in a heavy fall in excise revenue.

The Retrenchment Committee have recommended the abolition of two posts of inspector and three posts of sub-inspector in the Excise Intelligence Bureau and Government have accepted these recommendations. In the cadre of inspectors the recommendations are for the abolition of three posts, one at Jalpaiguri and two at Mymensingh. It has been decided to abolish one of these posts at Mymensingh, and the other has been decided to be retained. In view of the large increase in illicit distillation in the tea gardens of Jalpaiguri, it has been decided to retain the post of inspector in that district.

The recommendation for the abolition of three posts of inspector forming the leave reserve of the cadre of inspectors and their replacement by three sub-inspectors has also been accepted by Government. Abolition of three posts of inspectors forming the leave reserve in the cadre of superintendents and creation of one post of sub-inspector as recommended by the Retrenchment Committee have been agreed to by Government.

[It being 7 p.m. of the clock,]

Mr. PRESIDENT: Order, order. We shall have the pleasure of hearing the Hon'ble Minister continue his speech to-morrow. I must adjourn the Council now.

Adjournment.

The Council was then adjourned till 3 p.m. on Thursday, the 16th March, 1933, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Thursday, the 16th March, 1933, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 99 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Mymensingh-Tangail Road.

*58. **Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state what steps are being taken by the Government regarding completion of the works on the Mymensingh-Tangail Road that has been taken up under the recommendation of the Road Board?

(*b*) How far has the work of construction of the said road progressed?

(*c*) What amount out of the total sum sanctioned for the said road has been spent up to date?

(*d*) What are the details, if any, of the works done up to date?

(*e*) By what time is the work expected to be finished?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) Government have sanctioned an estimate for Rs. 3,40,795 and allotted Rs. 50,000 during the current year.

(b) and (d) The district board which is carrying out the work engaged a contractor in the middle of December. Since then it has been possible only to start collection of materials and brick-making.

(c) Rupees 438-14.

(e) By the end of March, 1936.

Dates for non-official visitors to visit Berhampur Jail.

*59. **Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur:** (a) With reference to the starred question No. 8 answered on 20th February last, will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether it is a fact that in the Berhampur Jail dates for non-official visits have been fixed by the Magistrate and that letters have been issued to the non-official visitors to visit the jail only during the week-ends of a certain month and not on other days?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Member be pleased to state the reason as to why Jail Code Rule No. 64 has not been followed in this case?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (a) A roster is prepared by the District Magistrate who is Chairman of the Board of Visitors and communicated to the visitor in the following terms: "I have the honour to inform you that your turn of visit to this jail falls during the week ending ..... " The questioner appear to have mistaken "week ending" for week-end.

A visitor of the jail is of course allowed to visit at any other time besides that on the roster which is only intended to secure a minimum of periodical visits.

(b) Does not arise.

Temporary settled Sundarban estates.

*60. **MUNINDRA DEB RAI MAHASAI:** (a) Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a list of the temporary settled Sundarban estates of the 24-Parganas which are held under the Grant Rules of 1853 and 1879 and in

respect of which the land revenue has been recently reduced and a fresh lease in the revised form granted, mentioning the following particulars in each case:—

(1) the name of the holder of the estates,

(2) the revenue formerly paid for the estates, in terms of re-settlement,

(3) the reduction of land revenue effected by increasing the land-holders' profits under the fifth clause of the standard form of renewed lease,

(4) the reduction of land revenue effected by granting the settlement-holders an additional allowance for the maintenance of embankments under the said clause; and

(5) the rate of such additional allowance actually granted in each case for embankment charges?

(b) Will the Hon'ble Member be pleased to state whether in the recent revised rules for the resettlement of the estates held under the Grant Rules of 1853 and 1879, a differential treatment has been made between the aforesaid two classes of estates, with particular reference to the granting of special allowance for embankment charges?

(c) Is the Hon'ble Member aware that the holders of the Sundarban estates under the Rules of 1853 have also to maintain embankments and other protective works to keep their lands in a condition fit for cultivation?

(d) If so, will the Hon'ble Member be pleased to state why no additional allowance has been added to the profits of the holders of the estates, as has been done in the case of estates held under the Rules of 1879?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (a) (1) to (5) A statement is laid on the table.

(b) and (d) In the order passed in a number of cases the percentage of assessment was based on the terms of the original contracts as embodied in the leases of 1853 and 1879 respectively. No differential treatment was made except such as follows from the difference in the terms of renewal of the original leases. In view of the gross profit of 66⅔ per cent. that was left to the grantees of leases of 1853 as against an allowance of 35 per cent. that was left to the grantees of leases of 1879, no special allowance for embankment charge was justified in the case of 1853 leases.

(c) Under the revised lease the holders will be bound to maintain the embankments or other works necessary to keep the lands fit for cultivation.

Statement referred to in the reply to starred question No. 60 (a).

STATEMENT SHOWING REVENUE OF CERTAIN SUNDARBANS LOTS IN THE 24-PARGANAS.

Tauzi No.	Name of holder	Previous revenue.	Revenue after resettlement	Reductions under 5th clause of the proviso to the Rules of 1879.	Reduction on account of additional allowance for maintenance of embankments.	Rate of such additional allowance on assets.	Revised revenue
1	2	3	4	5	6	7	8
	Grants under the Rules of 1879.	Rs. a. p.	Rs.		Rs.	Per cent.	Rs.
2807	Haramohan Ghosh and others	844 0 0	4,963	355	1,063	15	3,545
1457	Amal Kumar Roy Choudhury and others.	2,548 0 0	8,396	600	1,799	15	5,997
1446	Surja Kanta Roy Choudhury	812 0 0	3,047	217	653	15	2,177
2712	Joydeb Sarkar and others	1,429 0 0	4,586	328	983	15	3,275
2822	Radhakanta Sur and others	750 0 0	5,243	374	1,124	15	3,745
2731	Susil Kumar Roy Choudhury	938 0 0	5,954	425	1,276	15	4,253
2733	Shaikh Meher Ali and others	938 0 0	8,295	593	1,777	15	5,925
1392	Roy Satindra Nath Choudhury	750 0 0	4,862	347	348	5	4,167
2714	Ram Gopal Das Naskar and others.	1,055 0 0	4,420	316	631	10	3,473
2687	Ditto	935 13 0	3,579	255	512	10	2,812
2688	Ditto	1,177 0 0	4,792	342	685	10	3,765
2721	Bejoy Krishna Chakravarty and others	1,200 0 0	4,679	334	668	10	3,677
2741	Manindra Nath Mandal	935 13 0	5,391	385	770	10	4,236
2722	Hari Charan Pal, trustee to the estate of late Ambica Charan Pal	938 0 0	7,321	523	523	5	6,275
2732	Sarat Kumar Das and others	843 4 10	4,146	296	740	12½	3,110
2711	Haridas Basu and others	848 0 0	3,255	233	465	10	2,557
2710	Amarendra Nath Dey and others.	865 0 0	3,239	231	232	5	2,776
2740	Roy Manmotha Nath Mitter Bahadur.	938 0 0	5,946	425	849	10	2,872*
2739	Ditto	938 0 0	7,019	501	1,003	10	4,715*
2808	The Mahesh Chunder Land Reclamation and Agricultural Improvment Co., Ltd.	206 0 0	1,173	84	251	15	838
2823	Upendra Nath Chatterjee and others.	938 0 0	5,991	428	856	10	4,707

*After lump reductions on account of waste and fallow lands.

Tauzi No.	Name of holder.	Previous revenue.	Revenue after resettlement.	Reductions under 5th clause of the new leases for grants under the Rules of 1879.	Reduction on account of additional allowance for maintenance of embankments.	Rate of such additional allowance on assets.	Revised revenue.
1	2	3	4	5	6	7	8
	Grants under the Rules of 1852.						
		Rs. a. p.	Rs.				Rs.
1443	Basanta Kumar Mitra ..	930 3 0	10,663				5,728
1359	Bibhuti Bhusan Roy and others.	183 13 5	1,906				1,158
1345	The Port Canning and Land Improvement Co., Ltd.	1,278 12 11	10,066				5,217
1493	Narendra Nath Mitra ..	1,459 8 0	17,365				9,657
1439	Mirja Ahmed Ispahani and others, trustees of the estate of late Nawab Nazirali Khan Bahadur.	1,337 0 0	17,227				9,019
1477	The Port Canning and Land Improvement Co., Ltd., Canning.	1,151 6 0	18,177	Clause 5 of the new lease for grants under the Rules of 1879 does not apply.			8,726
1370	Abidhar Ghosh and others .	702 2 6	11,557				5,516
3195	Tarapada Ghosh ..	95 4 2	1,566				1,112
2250	The Port Canning and Land Improvement Co., Ltd., Canning.	90 11 0	1,095				530
1329	Ditto	555 10 6	6,191				3,117
1442	Nirod Chandra Mallick and others.	1,138 13 10	11,199				6,565
1366	Hrishikesh Banerjee and others.	712 0 0	7,023				4,234

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Promotion of assistant sub-inspectors to the grade of sub-inspectors in the Calcutta Police.

49. Mr. A. F. M. ABDUR-RAHMAN: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state the number of assistant sub-inspectors promoted to the grade of sub-inspectors and the number of literate constables promoted to the grade of assistant sub-inspectors in the Calcutta Police since 1930, and how many of them are Muslims?

(b) Will the Hon'ble Member be pleased to lay on the table a statement showing the number of total recruits classed as literate constables in Calcutta since 1930, and how many of them are Muslims?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (a) Five assistant sub-inspectors, all Hindus, and 23 literate constables, of whom 16 were Hindus and 7 Muslims.

(b) Thirty-two, of whom 8 were Muslims.

Road Cess Act.

50. Babu SUK LAL NAG: (a) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether the Government are considering the desirability of—

(i) appointing a committee to inquire into the hardships and grievances arising out of the administration of the Road Cess Act; and

(ii) providing either by rules, if possible, or by amendment of the existing laws, for the revision of assessments by competent Judicial officers of Government, and for regulating the imposition of imposts and for allowing appeals before the ordinary civil courts?

(b) What percentage of the total road cess realised is appropriated by Government, and for what reason?

(c) Do Government propose making any payment to the *zamindars* for the collection of road cess?

The Hon'ble Sir PROVASH CHUNDER MITTER: (a) (i) and (ii) Some cases of hardship in certain districts have been brought to the notice of Government and Government have already made considerable progress towards amendment of the Cess Act. Subject to what is stated above the answer is in the negative.

(b) No percentage is appropriated by Government but costs of collection of cess in the tauzi and certificate departments are recouped by Government.

The amount deducted in the year 1931-32 represented less than 4 per cent. of the total current demand.

(c) No.

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware that assessment of cess according to section 24 before the deletion of the note has been entailing great hardship upon tenants?

The Hon'ble Sir PROVASH CHUNDER MITTER: The question was fully dealt with yesterday. I have nothing further to add.

Maulvi SYED MAJID BAKSH: Yesterday it might have been a speech, but I want an answer to my question to-day.

The Hon'ble Sir PROVASH CHUNDER MITTER: I have nothing further to add.

Dr. NARESH CHANDRA SEN GUPTA: Are we to understand from the Hon'ble Member's answer that Government have definitely decided not to appoint a committee to inquire into the question of the amendment of the Cess Act as promised by him sometime ago?

The Hon'ble Sir PROVASH CHUNDER MITTER: The conference consists of representatives of various sections of the House which has been sitting for sometime past.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether he proposes to revise cess assessment in the light of the new view of the section?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have already said yesterday what we propose to do. It is impossible in the course of an answer to a question to go into the matter.

Maulvi SYED MAJID BAKSH: I do not remember what the Hon'ble Member said. Perhaps I was not present. Will the Hon'ble Member be so good as to repeat them now?

Mr. PRESIDENT: That is not possible.

Death rate in Bengal due to epidemic diseases.

51. Dr. AMULYA RATAN GHOSE: (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware of the appalling death rate in Bengal due to epidemic diseases such as cholera, small-pox, etc., during the month of January last?

(*b*) What was the total number of deaths due to the epidemic diseases annually, during each year since 1930?

(*c*) Will the Hon'ble Minister be pleased to state whether the diseases responsible for so many deaths daily are preventable or not?

(*d*) If the answer to (*c*) is in the affirmative, what preventive measures were taken by the Government and with what results?

(*e*) What steps have the Government taken to prevent—

(*i*) cholera,

(*ii*) small-pox, and

(*iii*) influenza?

(*f*) What amount of money has been spent each year during the last ten years for the prevention of epidemic diseases?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) The statement laid on the table shows that the death rate in January from epidemic diseases was not unusually high.

(*b*) A statement is laid on the table.

(*c*) These diseases are classed as preventable diseases.

(*d*) and (*e*) Government do not carry out preventive measures; the local authorities are responsible for these. But at times of emergency the Department of Public Health assists the local authorities by deputing doctors and sanitary inspectors and by supplying vaccines against cholera and small-pox: the department also assists in propaganda to educate the public as regards the prevention of epidemic disease.

(*f*) A statement is laid on the table.

Statement referred to in the answer to unstarred question No. 51 (a), showing the deaths from epidemic diseases in the Bengal Presidency during the four weeks of January, 1933, compared with those of the corresponding four weeks of 1932 and with the last five years' average.

Year.	Cholera.	Ratio per mille.	Small-pox.	Ratio per mille.	Influenza.	Ratio per mille.
1933 ..	1,469	·02	740	·01	63	·001
1932 ..	5,068	·1	167	·003	35	·0007
1928-32 ..	3,340	·06	475	·009	38	·0007

Statement referred to in the answer to unstarred question No. 51 (b), showing the deaths from epidemic diseases in the Bengal Presidency during the years 1930-32.

Year.	Cholera.		Small-pox.		Influenza.	
	Number of deaths.	Ratio per mille.	Number of deaths.	Ratio per mille.	Number of deaths.	Ratio per mille.
1930 ..	54,963	1·2	11,268	·2	3,171	·1
1931 ..	79,073	1·6	9,207	·2	4,714	·1
1932 (Jan. to Sept.) ..	30,149	..	6,957	..	2,435	..

Statement referred to in the answer to unstarred question No. 51 (f), showing the amount during the last ten years for the prevention of epidemic diseases.

1922-23—Rs. 1,47,304.	1927-28—Rs. 5,53,234.
1923-24—Rs. 1,31,997.	1928-29—Rs. 4,69,561.
1924-25—Rs. 3,33,363.	1929-30—Rs. 2,49,315.
1925-26—Rs. 2,45,343.	1930-31—Rs. 2,99,075.
1926-27—Rs. 4,44,953.	1931-32—Rs. 3,05,751.

DEMAND FOR GRANT.

6—Excise.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I was speaking yesterday on the recommendations of the Retrenchment Committee that have been accepted by the department. Besides those already mentioned, the department have agreed to reduce the number of sub-inspectors by 10 in districts other than Calcutta and the 24-Parganas as against the recommendation of the Retrenchment Committee to reduce the number by 37. Further reduction will weaken the department too much and under the circumstances it is not possible to accept the recommendations of the Retrenchment Committee in full.

The recommendation of the Retrenchment Committee about the reduction of petty officers has also been very carefully considered and in view of the very large increase in illicit distillation the department find it impossible to accept any reduction there.

As regards rewards, the department has agreed to reduce it to Rs. 27,000 from Rs. 40,000. Further reduction is not possible in the present circumstances.

The recommendation about the fees to the law officer has been accepted.

Sir, the ultimate saving which the department has accepted would be about Rs. 1,96,000, which is more than that recommended by the Retrenchment Committee. Sir, with these few words I commend my motion for the acceptance of the House.

Mr. MUKUNDA BEHARY MULLICK: I beg to move that the demand of Rs. 36,100 under the head "6A—Excise—Superintendence—Other gazetted officers" be reduced by Rs. 14,400.

Sir, this is a purely economic question. I remember to have brought forward a similar motion last year when I indicated that in the face of a heavy deficit one of the posts of Deputy Commissioner of Excise

might be dispensed with. The Hon'ble Minister was then pleased to say in reply that these two Deputy Commissioners had different duties assigned to them, one being in charge of distilleries and the other in charge of supervision of the district works and that, therefore, both of them were necessary. If that was the position, what is done by the Excise Commissioner himself? For aught we know he should now be in charge of the entire work of supervision. And further when there are superintendents in almost all the districts, perhaps this work of supervision of the *mufassal* work requiring the retention of a whole-time officer at such a high pay might be considered redundant especially in view of the extreme financial stringency of the whole province.

With these few words I commend my motion to the acceptance of the House.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I can only repeat what I said last year that originally there were three Deputy Commissioners of Excise and on the recommendation of the Retrenchment Committee that was appointed in 1922, the number was reduced to two. Of these two officers, one is in charge of the distilleries and he is also the Collector of Calcutta and the other is in charge of warehouses and is also in charge of superintendence over excise charges throughout the province outside Calcutta, which is a very heavy charge. The Retrenchment Committee went into this question very carefully and even that committee could not suggest any reduction in the number of Deputy Commissioners. Mr. Mullick asks: what does the Excise Commissioner do? Sir, he is the head of the department and naturally he has got many things to do, this much I can say. It is not possible for me to reiterate all his duties on the floor of this House: he has got to supervise the work of the superintendents in charge of the 26 districts, of inspectors, of innumerable sub-inspectors and the two Excise Deputy Commissioners, and he is responsible generally for the administration of the department. So he is by no means a lightly-worked officer. In this view of the matter, I hope the hon'ble mover will withdraw his motion.

The motion was then, by leave of the House, withdrawn.

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that the demand of Rs. 83,000 under the head "6A—Excise—Superintendence" be reduced by Rs. 100 (to raise a discussion on the policy and the extravagant nature of the expenditure).

Sir, the Hon'ble Minister has told us how far he has gone to accept the recommendations of the Retrenchment Committee with regard to his department and he has given us an assurance that there has been a reduction of Rs. 1,28,000 on the whole. But far from looking upon that as

quite satisfactory, I am sorry, I have to characterise the report of the Retrenchment Committee itself on this matter as too timid and too inadequate. We have to remember that the work of the Excise Department has become considerably reduced. That is a fact which has got to be borne in mind. I know that the Excise Department performs two different functions. On the one hand it has got to maintain a preventive service in order to prevent illicit distillation of liquor, and on the other it has got to look after the entire trade and business in liquor and drugs.

So far as the second part of their business is concerned, we have got to remember that the work has been reduced to less than half of what it was. Well, that is indicated by the dwindling of the revenue from Excise from three crores in the past to Rs. 1,39 lakhs estimated in the budget, and the chances are that the actual income will be much less. That shows that the consumption of wine, spirits and other drugs has been correspondingly reduced. So far as the supervision of the trade is concerned, it has thus been reduced by more than half, and what about the expenditure? Has it gone down in any way in the same proportion? Looking at the figures we find that so far as the expenditure on supervision is concerned, it has been practically maintained at a uniform level. In 1929-30 it was Rs. 1,15,000; in 1930-31 it was Rs. 1,17,000; in 1931-32 it was Rs. 1,12,000; and in 1932-33 it was Rs. 1,03,000; and then we are budgeting for Rs. 1,15,000 again. Now, Sir, as a business proposition it seems to be extraordinary that the expenditure on the supervision should remain steady although the work, as indicated by the income of excise revenue, has been going down so low. Sir, it may be said that the Retrenchment Committee has investigated the matter and has arrived at the conclusion that certain things cannot be done. I submit that the work has been done by the Retrenchment Committee from an altogether wrong point of view. They have tried to examine the post of each officer and ask themselves whether that particular officer is sitting idle. That is not the way of setting about the sort of retrenchment needed in these hard times. They have got to ask themselves whether the same service that is being done by these officers could not be done at a much less cost: whether the whole department could not be reorganised on a basis upon which the same service could be done by a lesser number of men. The Retrenchment Committee's report does not give any evidence of any attempt on their part to investigate the question from this point of view. On the contrary, the reasons they have given for the retention of certain posts and for the non-reduction of certain offices are certainly not very communicative in character. Take, for instance, the question of the retention of the posts of the Deputy Commissioners of Excise. The reason for the retention of these posts is given by them as follows:—

"We are satisfied that both of them are fully occupied in the performance of very responsible duties."

That is not taking the public and the Council into their confidence as to the reasons for their retention. Similarly, in dealing with other matters they do not give sufficient reasons. Take, for instance, the question of reverting to the system by which the subdivisional officers and district officers were entrusted with excise work. The conclusion at which they arrived at is as follows:—

"Finally we have come to the conclusion that this is not advisable. The savings which will be effected depend largely on the extent to which subdivisional officers may be able to undertake this additional work without further assistance."

Now, I ask, have they calculated the savings? If they have not, they have not set about their work in a proper way. I ask, why should there be no savings if subdivisional officers take up this work? They can undoubtedly do this in many subdivisions. Of course in some subdivisions they will perhaps require assistance. An inquiry should have been made as to how the system would work with reference to each subdivision, and if any assistance is to be given to any subdivisional officer, what the cost of that would come to? Now it has been said that there will be demand for additional staff. That is merely an apprehension. The reasons given by the committee show that the matter has not been investigated. And so on and so forth. I submit that the Retrenchment Committee has not gone into their business in the right way in this matter. Having regard to the dwindling of revenue to nearly half, it seems extraordinary that the expenditure cannot be reduced at all. It ought not to be beyond the resources or the ingenuity of the high officials in the Secretariat to find out an alternative by which some service could be rendered, in spite of what has been recommended by the Retrenchment Committee, at a lesser cost. In order to draw the attention of Government to this and to call for an investigation into the matter in a right fashion and in order to have ruthless retrenchment, to which the Hon'ble Mr. Woodhead referred in his opening speech on the budget, I move this cut.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, in moving this cut Dr. Sen Gupta has criticised more the Retrenchment Committee than he has advanced reasons in support of his motion. I am not responsible for the work of the Retrenchment Committee; so I cannot help him there. He has suggested that the work of the department has certainly gone down by half because the revenue has gone down considerably.

Dr. NARESH CHANDRA SEN GUPTA: I said one branch of its work.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: He said that the trade side of the department has gone down considerably. It might

be so, but it is from the business point of view that it is not possible to cut down the establishment further than what has been done.

Mr. NARENDRA KUMAR BASU: Are not the businessmen cutting down their expenditure?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: It may be so, but it certainly does not follow that you can reduce your expenditure to the extent the revenue has fallen. In this connection I would remind the hon'ble member as well as the mover of this motion of the very large increase in illicit distillation. It is the duty of the officers of the department to check illicit distillation because it is also a part of their business to check it as Government are losing revenue on account of this illicit distillation and it requires a large staff to do so, especially when the public does not come forward to help the department.

Dr. Sen Gupta has further suggested that the department should have been reorganised. Sir, I do not think that the Retrenchment Committee went into the question of reorganisation. They only suggested some retrenchments and this department more than any other department has accepted the recommendations of the Retrenchment Committee. I do not think that anything further could have been done without impairing the efficiency of the department or without injuring the revenue of Government.

The motion was put and lost.

Babu AMULYADHAN RAY: Sir, I beg to move the motion that stands against my name. It runs then—

"That the demand of Rs. 83,000 under the head '6A—Excise—Superintendence' be reduced by Rs. 100 (to draw attention of the Government to make adequate provision for the appointment of the depressed classes or scheduled castes in the department)."

Depressed classes form one-fourth of the entire population of the province and practically half of the Hindu population and they, like my Moslem brethren, are producers of national wealth which maintain the whole system of the administration. In the name of justice and equity members from that class should be recruited in proportion to their population in every branch of the service to carry on that administration. Depressed classes do not want to give up that Aryan profession of agriculture for the sake of appointment which is a bare necessity to give an impetus in the minds of the people towards education and we will never replace agriculture by service, but some appointments are necessary to encourage education and I dare say without education of the people devoid of any elementary knowledge of A. B. C. our future *swaraj* will be another name for the autocratic administrative machinery of the Hon'ble Mr. Prentice.

Recruitment of the members of the depressed classes should be provided in proportion to their population from another point of view. Want of sympathy towards our candidates for appointment at the hands of those who have made public services a profession of their own and absence of new relations to perform that art of process commonly known as *tatbir* make a statutory provision necessary.

I do not suggest that disqualified candidates of the depressed classes should be appointed. There is now no dearth of our qualified candidates under the rules who are loitering in the street for want of employment. In the whole Excise and Salt Department from the Commissioner of Excise down to the menial orderly there is only one inspector, one or two sub-inspectors belonging to the scheduled castes. So far as the appointment of clerks is concerned, the circular of the Appointment Department issued on the 28th April, 1931, has been treated as a mere waste paper by the authorities of the Excise Department. In view of this state of affairs, adequate provision for the appointment of the members of the scheduled castes in proportion to their population should be made without delay.

With these words I commend my motion to the acceptance of the House.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, it is my duty to oppose this motion. At the outset I can assure the hon'ble mover that Government have every sympathy for this proposal and they have given practical proof of that sympathy by appointing candidates of depressed classes whenever it has been possible for them to do so. As a matter of fact it is only the appointment rules of this department that contain a special provision for the appointment of candidates of the depressed classes and as there was no appointment made last year and no appointments would be made this year, no appointment could be given to any member of any class. I can only repeat the assurance which I gave, I think, to Mr. Mullick last year that whenever appointments would be made, the claims of the depressed classes would be very carefully considered, subject to a minimum test of efficiency.

The motion was then put and lost.

Babu AMULYADHAN RAY: Sir, I beg to move that the demand of Rs. 83,000 under the head "6A—Excise—Superintendence" be reduced by Rs. 100 (to draw attention of Government for granting licenses for excise shops to the depressed classes of scheduled castes).

Sir, the Hon'ble Minister is repeating year after year that the policy of the department in regard to the grant of licenses has been to give preference to the educated *bhadralok* class. That policy may be advantageous to those classes who have got a backing, but that policy

is not helping our young men who have to stand on their own legs. Several of our educated young men of substantial means applied for licenses, but their cases have not been considered. Therefore steps should be taken to consider applications from members of the depressed classes.

Mr. P. N. GUHA: Mr. President, Sir, I have only one observation to make. Mr. Ray suggests that licenses for holding excise shops should be granted in larger number to the members of the depressed or scheduled classes. Any one who knows the condition of Bengal will bear me out when I assert that license for holding excise shops had been the monopoly of a particular scheduled castes for the last 200 years. The *Sundis* have been selling wines and spirits from time immemorial all over Bengal and it was to break this monopoly that the Government a few years ago expressed the intention of granting licenses to the young men of the *bhadralok* class. The people belonging to the community of Mr. Ray might not have been able to secure licenses but it is not true to say that in granting them the scheduled castes have been overlooked. The *Sundis* had been there all along and they are still there in large numbers and so I fail to find any justification in the complaint of Mr. Ray against the Government on this particular matter.

Mr. P. BANERJI: Sir, I desire to say a few words in support of this resolution. I think it should be the policy of Government not to encourage young men of other communities to take out excise licenses. As stated by Mr. Guha, it has been the monopoly for 200 years of a particular class, namely, the *Suris*, one of the scheduled classes who have enjoyed this privilege. This profession is always condemned by the Hindu *Shastras*. Therefore the upper class Hindus or, as a matter of fact, most members of the community to which Mr. Ray belongs will refuse to take out these licenses. My point is that it should be given only to those people who have been enjoying it for years and years. It should be the policy of Government that they should not attempt to demoralise other members of the Hindu community. They must now change their policy and revert to the old system of giving out these licenses to those people who have a legitimate claim to it.

Dr. NARESH CHANDRA SEN GUPTA: Sir, for almost the same reasons advanced by Mr. Banerji, I beg to oppose this motion. Mr. Ray in moving the previous motion referred to the depressed classes as the people who produce the wealth of India. If he wants the interests of these classes to be adequately safeguarded, it would be up to him to do his utmost to prevent them from taking to this nefarious trade.

Reverend B. A. NAG: Sir, I feel like congratulating the Hon'ble Minister that the subordinates working under him have not seen their way to invite the depressed classes, particularly the Namasudras, into

this demoralising trade. I am sorry to find our brethren of the Namasudra community who are alleged to belong to the depressed classes desiring to enter into the liquor trade. I was beginning to believe that they were advanced enough to know evil for evil and to-day I have been thoroughly undeceived by my friend pleading for the young men of his community to take licenses of these excise shops. I congratulate the Hon'ble Minister that he has not made it possible for them to get these licenses.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, as I have often repeated, it has been the policy of Government to encourage educated members of the *bhadralok* classes to take out licenses for excise shops and Government, of course, do not consider educated members of the depressed classes as not educated *bhadraloks*. So, when they grant licenses, they do it irrespective of the caste to which the candidates belong. In the opinion of Government Mr. Ray is as much an educated *bhadralok* as Mr. Banerji, and they are both qualified to take out licenses for these shops according to the canons laid down by Government. So, Mr. Ray need not complain about this matter. So Mr. Ray need not complain that his community has been shut out from this privilege. As a matter of fact, as has been pointed out by Mr. Guha very rightly, his community, namely, the depressed classes, have still got the monopoly, if not the monopoly, at least they hold the majority of the licenses under the Excise Department, and it would be very difficult to oust them altogether because they flourish so much in that trade and others cannot. So I do not think there is much substance in the complaint made by Mr. Ray.

The motion was then, by leave of the Council, withdrawn.

Mr. P. BANERJI: I beg to move that the demand of Rs. 17,000 under the head "6C—Excise—Presidency establishment—Inspection and prevention—Rewards to private persons" be refused.

Sir, it has been pointed out by the Hon'ble Minister that there has already been a decrease in excise revenue due to economic depression in the country and that it has been impossible for him to reduce the cost proportionately but that he has done what was possible for him to do. He also stated in the course of his speech that the public would not help the department in detecting illicit manufacture. I submit, Sir, that it is not possible for the public to help the department in detection of illicit manufacture of liquor. There is a provision of only Rs. 17,000 for rewards, and we all know to whom these rewards are given. There is a certain class of people whom we call unscrupulous people, and any one who has got a knowledge of the inner working of the department knows it full well that the rewards are given to these unscrupulous people. Then the Hon'ble Minister has said that everything is due to illicit manufacture. May I inquire how it is possible for him to know that so much is being manufactured illicitly? There

are no data before Government to come to the conclusion that the tremendous decrease in excise revenue is due to illicit manufacture. It is not due to that. It is due to the temperance movement about which Rai Bahadur Dr. Haridhan Dutt might tell us something. It is due to the temperance movement by the civil resisters. Therefore the decrease is due to the activities of the Congress men and the civil resisters. People have now come to realise that not only liquor is poison but to drink is a sin according to the injunctions of the *Shastras* and the *Koran*. Now these civil resisters have by propaganda succeeded in bringing about the decrease in consumption of liquor. The Hon'ble Minister has suggested that the decrease has been due to another factor, namely, that the people could not purchase liquor on account of economic depression and on account of its high price. Well, I differ from him and consider it to be absolutely baseless. It is on account of the propaganda by the civil resisters that the people are trying to follow the example of America and the country is getting dry. Every year it has been said in this Council that Government are trying to have the maximum revenue from the minimum consumption of liquor; but they have failed in that and the policy of Government requires a change. Anyway, it has been found that the grant of rewards to those unscrupulous people has been of no use because they do not do anything to deserve these rewards. It has been found that to get these rewards and to keep the department going they even sometimes concoct cases. For these reasons and in view of the fact, as has been stated by the Hon'ble Minister, that they have failed to detect cases, I propose that the members of the public should not be given any reward. It is only by propaganda that the public would come forward to help the department in detection, and I hope the Hon'ble Minister will agree with me in this view.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Mr. Banerji has tried to substantiate his case on two grounds. First of all, he thinks that the fall in excise revenue is due to the fact that people have suddenly become moral on account of the temperance movement and the fall is not due to illicit distillation. He said that the figures which we supplied were a myth. There were excise prosecutions and certainly the cases were tried in the courts. So I cannot accept the statement made by Mr. Banerji that all these figures were a myth. I shall give you these figures: the number of country spirit cases in Calcutta up to February this year was 1,300, and the figure was 173 in 1929-30, 598 in 1930-31 and 814 in 1931-32; it is gradually going up. Mr. Banerji says that these rewards are given to unscrupulous people and so it is the interest of these people to concoct cases and to keep the department going on. Certainly the excise officers, when they recommend people for reward, do it on substantial facts and they are not deluded by interested persons. Unless there is actual detection or

prosecution, rewards are not given. I may remind the House that the price of smuggled articles is much higher than the rewards given, and the persons who give information to the Excise Department undertake a great amount of risk. Naturally it is necessary for the department to reward them; otherwise this information will not come forward and there will be no detection, and there will be a further fall of excise revenue. I do not think there is any substance in the statement made by Mr. Banerji that the people have suddenly become moral.

I oppose the motion.

The motion was then put and lost.

Maulvi HASSAN ALI: I beg to move that the demand of Rs. 7,64,000 under the head "6D—Excise—District executive establishment" be reduced by Rs. 100 (to raise a discussion about the policy in granting licenses in the *mufassal*).

Sir, the question has been discussed threadbare in this House on many occasions. So I do not wish to make any speech on the subject. I formally move the motion only to raise a discussion on the subject.

Khan Bahadur MUHAMMAD ABDUL MOMIN: I rise to support the motion moved by my friend Maulvi Hassan Ali, and in doing so I wish to lay emphasis on the very inefficient manner in which licenses are granted in the *mufassal* for vending excisable articles. In the first place, I consider that the policy of giving licenses to vend liquor, opium and *ganja* to sons of *bhadraloks* who are graduates of the Calcutta University, is thoroughly wrong. This trade, as everybody knows, has been the monopoly of a certain class of people called *Suris*, and because of their monopoly in this trade they were considered untouchables. They lost their caste because they dealt in the trade of selling liquor. By this policy Government have taken away the trade from these people and at the same time have not succeeded in making them touchables. This is very unfair. It is very unfair that the *Sahas* who have no other means of existence should be deprived of their livelihood and their trade should be transferred to the educated and uneducated boys of the *bhadralok* class only to encourage them to earn a living without any labour or capital.

The fixed fee system was introduced, I believe, a few years ago not on any policy for increased revenue but simply to give employment to people who otherwise failed to get any employment in Bangal; but it was forgotten that while giving such employment to people whose only qualification was their passport to the favour of the authorities they were depriving another class of people of their bread. If the excise policy of Government has any merit at all, it had this merit that it brings revenue to the State. I am of opinion, however, that this fixed fee system has deprived Government of a lot of revenue which they would have got if the auction system had continued. I

maintain that there is no ground for being so very considerate to the consumers of liquor and other things by introducing the *bhadraloks* on the ground that adulteration is taken recourse to by the *Suris*. If the *Suris* adulterate liquor, it is the look-out of the department to check it by strict supervision. I do not think that it is sound policy to hand over a trade to a particular class of people who are neither experts, nor lay out any capital on that trade. What happens in the *mufassal*? If an excise shop falls vacant, there are applicants before the Superintendent of Excise and he is pestered by recommendations from all quarters and the man who has got the greatest influence always secures this job. This leads to heart-burning and in most cases the shop goes to the most undeserving. Why not throw out the whole thing to auction and let the people bid for it in the open market? I do not see that there is any justice in avoiding public settlement of these shops as used to be done before.

Then, again, the demoralisation is not limited to the *mufassal* only. Every high officer of Government, even the head of the administration, is pestered with recommendations from people who are in authority, who have got some influence, from members of this Council and from all and sundry, to influence the proper authorities to give licenses to the young boys of the *bhadralok* class who cannot otherwise find any employment anywhere else. It becomes very difficult for the officials to do justice in such cases. I maintain that the whole policy of the fixed fee system is wrong and demoralising, but if Government insist on continuing the system, they should invent some other means by which the *bhadralok* young men could get licenses not through recommendations but through some other means—by examination or by considering the claims of any community to a particular profession and not in the manner in which it is being done arbitrarily at the present moment.

Dr. NARESH CHANDRA SEN GUPTA: While I support the motion of Maulvi Hassan Ali, I would like to dissociate myself from the opinion expressed by Khan Bahadur Maulvi Abdul Momin, that we should revert to the auction system in preference to the fixed fee system. I quite appreciate the reasons which have been given by the Khan Bahadur, and the grievences of the Khan Bahadur with regard to the abuses and demoralisation associated with the grant of licenses, which has set in as a result, and I thoroughly appreciate his observations on that score. It is high time that the open scandal with regard to these licenses should be put an end to, but at the same time it must be remembered that the fixed fee system was not introduced merely for the purpose of providing employment for *bhadralok* youths. That might have been at the back of the minds of some people, but that was not the pre-eminent reason for which the fixed fee system

from traders to encourage the excessive use of drink.

Khan Bahadur MUHAMMAD ABDUL MOMIN: That was an eye-wash.

Dr. NARESH CHANDRA SEN GUPTA: Well, it might be an eye-wash. I am not familiar with the inner mind of Government as well as the Khan Bahadur, but that was the solemn principle upon which the fixed fee system was based and there can be no doubt that the fixed fee system has taken away a great deal of incentive from wine-dealers to encourage the consumption of liquor.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Why are you so anxious for the consumers?

Dr. NARESH CHANDRA SEN GUPTA: I am not anxious for the consumers, but I am anxious for the people who do not consume; they should not be brought into the fold of this vicious habit. My anxiety is not with regard to the excise revenue either; or even to fill the coffers of a few *bhadraloks*, but my sole anxiety is that this habit should be extirpated as soon as possible, and certainly not allowed to spread further than is inevitable. The reason why I support this motion of Maulvi Hassan Ali is that the way in which the licenses have been distributed does not make for the gradual extinction and ultimate abolition of the drink habit. I should have expected that following upon the fixed fee system the number of licenses issued should have been gradually reduced. Every effort should have been made to find out how far it is absolutely necessary—I do not know that there can be any *absolute* necessity for having a wine shop anywhere,—but if it is at all necessary to maintain any shop anywhere why does not Government introduce local option? Even with regard to the licensing boards the policy of Government has been very halting. It is for this reason that I support the motion of Maulvi Hassan Ali and not because I want that the auction system should be re-introduced.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The motion has been supported on different grounds by Khan Bahadur Abdul Momin and Dr. Naresh Chandra Sen Gupta. Mr. Momin thinks that Government should not have taken away the liquor trade from the *Suris* whose monopoly it was and who were experts in the liquor trade, and transferred it to the educated middle class. Government did so on the advice of the Legislative Council. That policy was advocated by members of this Council year after year.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Because they are *bhadraloks* themselves!

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The Khan Bahadur thinks that the *Suris* were untouchable and they still remain untouchable, though we have taken away the trade from them. Touchability or untouchability is no longer the criterion, because many sons of Brahmins have now taken to tanning, but they have not ceased to be touchable according to the modern tests, or have not become untouchables. Profession does not make one touchable or untouchable nowadays and Government have got to follow the modern principle and modern policy and they cannot go back to the old days of Manu when one's caste depended upon one's trade. But I am glad that the Khan Bahadur has at least appreciated the authors of our Hindu *Shastras*. He suggests that Government should go back to the auction system and give up the fixed fee system, because it means loss of revenue to Government, and that licenses are granted not fairly and equitably but merely by way of favouritism. But I do not think that that is a fact. The Khan Bahadur knows it very well that whenever there is a vacancy either due to death or cancellation of license the District Magistrate on the advice of the Superintendent of Excise re-settles it with some one else. So we have to depend on the District Magistrate and I do not think that he is open to such influence as the Khan Bahadur seems to think. I wish he had taken the same view two years ago.

Khan Bahadur MUHAMMAD ABDUL MOMIN: I always did.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I am thankful to Dr. Naresh Chandra Sen Gupta for stating the reasons which led Government to adopt the fixed fee system. Certainly minimum consumption for maximum revenue—that is the policy which Government has been following and the price of liquor has been regulated in pursuance of that policy. The number of shops has been greatly reduced; and the hour of sale has been also greatly reduced. I join issue with Dr. Naresh Chandra Sen Gupta, however, when he says that Government did nothing to reduce the number of licenses and the number of shops. I think we have done substantially to bring that about. Moreover, the question of granting licenses for opening fresh shops depends entirely upon the licensing boards in Calcutta as well as in the *mufassal*, and these licensing boards consist of representatives of local bodies like the district boards and municipalities, and I think in a majority of the licensing boards in the *mufassal* the non-officials are in a majority or at least they form the same number as the official members. So Government is not responsible for granting new licenses or opening new

shops or controlling the hour of sale. That depends entirely on the licensing boards consisting of officials and non-officials. But I may inform the House that the question whether Government should stick to the fixed fee system or should go back to the auction system is being examined at present by them and they have not yet come to any conclusion. If it is found that both in the interests of morality and in the interests of revenue, it is desirable to go back to the old system, Government will not hesitate to do so. With these words I oppose the motion.

Babu JITENDRALAL BANNERJEE: Sir, may I ask the Hon'ble Minister one question? Is it not a fact that so far as the *mufassal* is concerned, distribution of licenses depends entirely on the District Magistrate and the Excise Superintendent has little to do with that?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Distribution of licenses depends on the District Magistrate, but the opening of new shops, sites of shops—that is, whether a particular shop should be opened in a particular area or not—hours of sale—all these depend on the licensing boards. But the actual selection of licensees depends on the District Magistrate.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Minister consider the question of introducing the principle of local option side by side with the licensing board system?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I think it is rather premature to consider that question. I am not in a position now to answer "yes" or "no."

The motion of Maulvi Hassan Ali was put and lost.

Mr. ANANDA MOHAN PODDAR: Sir, I beg to move that the demand of Rs. 7,64,000 under the head "6D—Excise—District executive establishment" be reduced by Re. 1 (to raise a discussion about the amalgamation of excise changes and replacement of superintendents by inspectors).

This is purely an economic motion. We are faced with a deficit budget and it goes without saying that in these days of hardship every reasonable effort must be made to save money. But at the same time we must remember that in effecting economy we do not retard the work of the department concerned.

Sir, the Bengal Retrenchment Committee gave a careful consideration to the subject and they came to the decision that much saving can be effected by reducing the number of excise districts and by placing the less important ones in charge of the senior inspectors. The committee recommended that the excise charges outside Calcutta should be

reduced from 26 to 16 and of these 6 should be placed under the charge of superintendents and the remaining 10 charges should be entrusted to senior inspectors. The committee very clearly pointed out that this can be safely done without retarding the efficiency of the department. Sir, I do not know why the Government have turned a deaf ear to these very modest recommendations. The excise revenue is gradually falling—though not due to any temperance policy of the Government, but owing to trade depression and decreased purchasing power of the public. But we find no serious attempt to effect retrenchment in the department. We do not know how long this policy will continue. The condition of the finances of Bengal does not certainly call for such a topheavy administration. In view of the financial stringency in Bengal this proposal is not at all fantastic nor impracticable. Even at present some excise districts are placed under senior inspectors and they are working well. Excise work is, after all, chiefly of a routine nature and an inspector with some experience in the department can carry it out efficiently. So I hope that the Government would find its way to accept this proposal.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I wish the hon'ble mover were present yesterday when I introduced the demand under this head and in that case I am sure he would not have moved the motion which is now before the House. Government has done everything, as far possible, to accept the proposal of the Retrenchment Committee. The Retrenchment Committee suggested that the number of excise charges should be reduced from 25 to 16. Government could not agree to this. But they agreed to reduce it from 25 to 21 and the number of superintendents from 21 to 16, placing the rest in charge of senior inspectors. There are districts like Mymensingh and Bakarganj, while there are also districts like Hooghly and Howrah, which are not only very important charges, but on account of their area, location of shops, difficulties of communication, and large number of excise crimes, it is not possible and indeed inadvisable to leave them in charge of senior inspectors. On these grounds Government could not accept all the recommendations of the Retrenchment Committee *in toto*, but did so only partially. I hope in this view of the matter the hon'ble mover will withdraw his motion.

The motion was then, by leave, withdrawn.

Babu KISHORI MOHAN CHAUDHURI: Sir, I beg to move that the demand of Rs. 17,05,000 under the head "6—Excise" be reduced by Rs. 50,000.

At the outset I must say that we are not satisfied with the excuses brought forward by Government for not being sympathetic to the incessant demand for economy. I have urged for a lump cut out of

the entire demand without specifying in what way the particular reduction should be made and I leave it to the department to consider how the excise expenditure should be curtailed. I complain, Sir, that this year the partial withdrawal of economic cut is responsible for the increased demand. I do not know if the entire amount is non-voted. Why this withdrawal has been resorted we fail to understand. This year is not the year when a sum of Rs. 17 lakhs, as we heard from the Hon'ble Finance Member the other day, should be disposed of in this way. There is distress on every side, the people are feeling much on account of economic pressure, and where is the special necessity for withdrawing the partial cut we really cannot appreciate. The Retrenchment Committee recommended a saving of Rs. 1,88,00,900, but we have been told that it is possible to give effect to a reduction of Rs. 15,810 only, and we are told by the Hon'ble Finance Member that so far as the sum of Rs. 1,26,00,000 is concerned, Government cannot think of doing anything. It is said that serious difficulties might otherwise arise, and that it will take some time to consider what can be done. The matter has been under consideration for several years. I fail to understand why Government should take up this unsympathetic attitude; if there is any special reason, this House ought to be taken into confidence.

I do not know if the whole matter was brought up before the Standing Excise Committee for consideration, but we have been told that further reduction has not been found possible and the Standing Committee also approved of the slight decrease. This is not the way in which the Bengal finance should be dealt with. Year after year deficits of some crores are shown in the budget and debts are being contracted in the hope that at some future date—when there is no knowing, of course—Government may get a portion of the income-tax or a portion of the jute duty and there will be redemption of the debts now contracted. But we have been hearing this for the last 10 or 11 years. You will remember, Sir, that when the new taxation question arose, Lord Ronaldshay (now Marquess of Zetland) came to this Council and assured us that we would surely get the jute duty.

Mr. PRESIDENT: I take it, Kishori Babu, that you had no opportunity to speak during the budget discussion. (Laughter.) I am sure you prepared a speech for that occasion and you are trying to make use of it now. (Renewed laughter.)

Babu KISHORI MOHAN CHAUDHURI: Sir, I take this opportunity of bringing this matter for the consideration of the House and I ask that the utmost effort should be made to reduce expenditure, and as representatives of the people it is our duty not to cry ditto to the demand of the Member-in-charge. The Hon'ble Minister himself is a representative of the people and he should realise how people are

suffering and how they are groaning under heavy demands on all sides and he should adopt measures for relieving the distress of the people. Instead of that, year after year we only hear that "nothing more can be done—this is all we can do." So I urge that we must force Government to effect economy. Of course, we know that Government have got power to certify the demand even if we carry the motion and it will be of no use, but still it is our duty to protest and for this purpose I move this cut which, I hope, will be accepted by the House.

(At 4-35 p.m. the Council was adjourned for prayer and re-assembled at 4-50 p.m.)

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, Babu Kishori Mohan Chaudhuri said that he was not satisfied with the excuses put forward by Government in not accepting the Retrenchment Committee's recommendations in full. As I stated before, we did our best in accepting the recommendations of that committee, and we did accept them as much as possible and as far as possible. But we had to remember that this is a goose that lays the golden egg and it would not do to kill that goose. Further retrenchment in this department will mean a decrease of the revenues of Government, because with the increase in illicit distillation certainly we need a very strong staff to check it. It was not possible to accept all the recommendations, but we had accepted the principle, for instance, of the amalgamation of excise charges, reduction in the number of inspectors and sub-inspectors as also of the staff in the Excise Bureau. I do not know, Sir, what Kishori Babu really means by saying that he is not satisfied with our excuses; they are not excuses but facts which we are bound to state. As a matter of fact, the ultimate saving which has been effected by this department is about Rs. 1,96,000 in place of Rs. 1,84,000 recommended by the Retrenchment Committee. So it is not an excuse but a fact which will mean a real saving to Government. With these few words I oppose the motion.

The motion was then put and lost.

Mr. NARENDRA KUMAR BASU: Sir, I beg to move that the demand of Rs. 17,05,000 under the head "6—Excise" be reduced by Rs. 100 (failure to devote the salt contribution from the Central Government to organisation and encouragement of manufacture of salt in the province).

Sir, it will be in the recollection of this House that when the additional import duty on salt was imposed in spite of the unanimous protest of this House and the measure was carried through in the Legislative Assembly, I will not say in order to benefit a few individuals of Aden but for high political reasons, Sir, an assurance was given by

the Government of India or rather by the Finance Member of the Government of India that seven-eighths of the proceeds of this taxation would come to the provinces affected and should be spent mainly for the purpose of development of the salt industry in those provinces. Not to speak of friends, not even my worst enemy will accuse me of being a blind believer in the pledges given by Government officials and I must confess that I never believed that the pledge would be carried out. But, Sir, I was not prepared for the statement of the Hon'ble Mr. Woodhead in answer to a supplementary question that he knew of no such pledge having been given. May I remind him that in the Legislative Assembly when this Salt Bill was being considered on the 30th of March, 1931, the Hon'ble Sir George Schuster said "that the proceeds of the duty should be earmarked for the following objects: (*1*) the development of certain Northern India sources in the manner recommended by the Salt Survey Committee; (*2*) the investigation of the possibility of the development of other sources of supply in India, particularly in the eastern parts of India which have not yet been investigated"? On the 31st March, 1931,——

The Hon'ble Mr. J. A. WOODHEAD: May I ask the mover whether he refers to one-eighth or seven-eighths?

Mr. NARENDRA KUMAR BASU: What Sir George Schuster said was this: "Now, Sir, we considered that the first two objects, namely, the expenditure of money on the development of certain definite schemes in Northern India and the investigation of certain other definite schemes in the eastern parts of India, we considered that those two objects must be pursued and that they could be pursued this year." The suggestion is that a sum of not more than a maximum of the one-eighth should be reserved for the Central Government and the remaining seven-eighths should be earmarked for the provinces affected. In what manner that seven-eighths was to be utilised, that will appear from the proceedings of the Legislative Assembly of the 1st April, 1931. I must say that it was a proper day for breaking to the hearts of the people of Bengal what promise was made to their ears. The resolution was carried and the last three lines of it were as follows: "This Assembly further recommends that the attention of the provincial Governments who may receive a portion of the revenue which is to be distributed should be called to the views expressed in this Assembly as to the desirability of applying such revenue in certain ways and in particular to the development of salt-production where economically feasible within their own provinces." I am quite confident, Sir, and I am quite aware of the fact that in his reply the Hon'ble Member will say that it is not economically feasible or possible to develop the salt industry of Bengal.

The Hon'ble Mr. J. A. WOODHEAD: Has Mr. Basu dropped the matter of the assurance?

Mr. NARENDRA KUMAR BASU: Not at all. I say that the assurance was there, but that resolution was worded in the usual guarded manner of the resolutions of the Assembly; but the assurance was given on a previous day, *i.e.*, before the 31st. The assurance was given by Sir George Schuster that the proceeds of the duty would be given to the province from which the duty was realised for the purpose of fostering or developing the salt industry. In the resolution that was carried in the Assembly on 1st April the assurance was toned down to a recommendation by the Assembly and by the Government of India to the provinces. We are told that provincial autonomy is coming, but I am perfectly certain that not even the most sundried bureaucrat will say that provincial autonomy has already come. Therefore, when the Legislative Assembly and the financial head of the Government of India say that they are recommending something to the provincial Government, we think and the people of the province would expect that the provincial Government would carry out these recommendations. As a matter of fact I find from the budget presented that a sum of Rs. 5,50,000 was received as a contribution to Bengal from this source—I mean in the present year and an equal sum is expected next year. Out of this Rs. 11 lakhs has the Government of Bengal spent 11 pice in fostering the development of the salt industry in Bengal? We are not even told in the budget as to what purpose the money is being devoted. It is perhaps eaten up for the general revenues of the Government. We know, Sir, that whenever any money slips into the capacious and rapacious pocket of the Finance Member, it is very hard to take it out of that pocket, and to use it for the purposes of the particular department for whose use the money was primarily said to be collected. We know all about the amusement taxes, we know all about the enhanced court-fees, the enhanced stamp duties and the same fate is now befalling the enhanced salt duties. I submit, Sir, that if the Hon'ble Mr. Woodhead is not willing to say that it is an act of breach of faith, because that is what I think he is driving at, I submit that the non-employment of this money for the purpose of fostering the salt industry is, if not a breach of faith, at least a blunder and a mistake of the greatest possible magnitude, and I think the Government of Bengal will not be doing its duty to the people under its charge if they do not spend an anna out of this huge amount for purposes for which it was primarily intended. I, therefore, commend my motion to the acceptance of the House.

Mr. W. H. THOMPSON: Mr. President, it is perfectly true that 150 years ago there was a considerable industry in the production of salt in Eastern Bengal, the centre of which was what is now the

Noakhali district, but there has been so much loose talk about the possibility of respecitating this industry that it is rather difficult to know where to begin. I presume that when the mover of the resolution suggests that a considerable sum of money shall be spent on trying to resuscitate this industry, he imagines that it is perfectly easy. If I have to begin, Sir, I must begin from the bottom, because there is such a depth of ignorance on the subject. Does the mover of the amendment know that the sun rises in the east and the moon rises with it and that the tides follow the moon? The tide rises on the east earlier than it rises on the west. So at the top of the Bay of Bengal when the tide rises, clean salt water comes up the east coast and there is a motion across the estuary of the Meghna as well as into it. There is clean salt water from the sea available on the east side of the estuary. But on the west side of it in front of the Sundarbans the salt water is mixed with the river water and water as salt as the sea is not available. To obtain salt from salt water on a commercial scale it requires clean salt water undiluted with fresh water. It requires a good sun, and for the final concentration of the salt, to make it crystallize out, a large quantity of cheap fuel. All these three were available together on the coast of Noakhali 150 years ago when all these *churs* on the sea face were covered with jungle. Now, Sir, there is no jungle on any of these *churs* off Noakhali, though there is plenty of jungle in the Sundarbans on the west of the Meghna. But a combination of clean salt water at a particular tide and cheap fuel is not available either on the Noakhali side or on the Sundarbans side where the creeks do not contain clean salt water. Salt can be made at either place but not economically. Sir, Government likes practical suggestions. To develop this industry at the mouth of the Meghna there are two alternatives, either to take necessary steps so that the *churs* on the Noakhali coast should relapse into jungle, or in the alternative to issue the necessary instructions with a notification in the *Calcutta Gazette*, to the sun and the moon to rise in the west and set in the east.

Mr. P. N. GUHA: It is a well-known fact that I have been taking some interest in this matter. This particular resolution was moved by me on two successive occasions in this Council. Mr. Basu says that Sir George Schuster made a definite promise to Bengal on this point. The Government of Bengal addressed the Government of India and requested them to depute an officer to hold an investigation into the possibility of reviving this industry, and a gentleman named Mr. Pitt, I think he belongs to the Indian Civil Service, came here, and an officer of the Excise Department, Babu Gunendra Nath Ray Chaudhuri, was deputed with him to go into the whole matter. I was watching the procedure at the time, and I can assure the House that Mr. Pitt did not take the trouble of ascertaining whether the sun rose in the east or in the west of the Noakhali coast, because he did not

go there at all. He finished his investigations in Midnapore and in the 24-Parganas. Mr. Pitt expressed the definite opinion that Bengal was not favourably placed for the salt industry, but in the meantime the Excise Department had been inviting applications from *bhadralok* young men to invest money and inaugurate salt factories in the Sundarbans. I think a number of applications were received, but those applicants have heard nothing more about it, because evidently after the report of Mr. Pitt was published, the Government of Bengal was of opinion that the last word had been said about it. There may be people who are ignorant about the movements of the sun and the moon, but they know they have not forgotten that there was a considerable number of salt manufactories in Bengal only a few years back. The *neemuck mahals* of old days are still fresh in the minds of many. Probably then the sun did not rise in the west. In the reminiscences of the great novelist Bankim Chandra Chatterjee we find he was a very great man and an officer in the *neemuck mahal* in the Midnapore district. There are stories also in my younger days which told of how Government managed things in the *neemuck mahals* in Midnapore and other places. I do not think the possibilities of manufacturing salt which existed in Bengal about 100 years ago could have mysteriously vanished. I know the jungles have been cut, but besides this there are other matters which ought to have been taken into consideration. My point is that the Government of Bengal had not investigated the matter sufficiently. The deputation of Mr. Pitt for about three weeks in which time he is supposed to have gone thoroughly into the matter and then be considered competent to give an opinion that Bengal cannot manufacture its own salt, is exactly like the Meston Award about which we have been complaining so bitterly. The Meston Committee devoted 24 hours of their time spent mostly in railway carriages, and then gave this award. I do not think that the Hon'ble Minister in charge of the Excise Department can say that Government has given the matter sufficieint consideration. It will be remembered that Bengal was never anxious to get money. I distinctly remember what I said when I moved this resolution in the first session of this Council as well as in the next one, that all we wanted was the abolition of the duty which is unjust and unfair, but if we are to pay the money, we ought to get the benefit of it. In this connection I am glad to be able to tell the House that the Government of India have decided to decrease the duty by 1½ annas. It will be 2½ annas in the next financial year instead or 4 annas as before. Our point is that the Government of Bengal should not have pocketed this money, and kept silent over it. The poor peasants have been paying the money, and it ought to have been given up for the revival of this industry in the province. I still believe that it is not so impossible as suggested in the report of Mr. Pitt. If that cannot be done, why should not the money be earmarked for some other agricultural object beneficial to the public? I would earnestly

request Mr. Woodhead, Mr. Singh Roy and others concerned in this matter to reconsider the whole position and see if the money can be utilised for this very purpose. The profit, as budgeted, will not be as much as was expected because 1½ annas will be reduced and the money next year will be much less, but still I hope Government will see its way to spend the money for the benefit of the people. The motion of Mr. Basu is only to draw the attention of Government to the fact that the Council is not satisfied with the expenditure of this money. It will be remembered that about 4 or 5 years ago Mr. Marr said that he would immediately telegraph to the Government of India the proceedings of this Council to reach the Government of India two days before Sir George Schuster made his announcement, and I have reason to believe that the resolution carried in this Council, induced Sir George Schuster to make the announcement to which Mr. Basu has referred.

The Hon'ble Mr. J. A. WOODHEAD: Will the member kindly read out the resolution on which he relies?

Mr. P. N. GUHA: It is not before me just now.

Dr. NARESH CHANDRA SEN GUPTA: It would be a pity if the Government, faced with a request of this character, should have to have recourse to casuistry. I do not know what the Hon'ble Finance Member is going to say in reply to this motion, but from what he has said it seems that he proposes to challenge the assertions of Mr. Basu that this sum was a sort of trust money in respect of which a definite undertaking was given by Sir George Schuster that it was to be used for the development of the salt industry in the province. I do not know by what subtlety Mr. Woodhead proposes to get round this statement. It is perfectly true that the resolution carried in the Assembly was not in imperative terms. Nevertheless the money which was given to the Government of Bengal was trust money, impressed with a trust for the purpose for which it was given. I am sure the Hon'ble Member has heard of such a thing as the precatory trust. Even words of recommendation may constitute a trust, and I have no hesitation in saying that even the resolution of the Legislative Assembly does convey a trust. For what else was the money given, if it was not for a trust? It is well known that these protective duties are imposed, generally speaking, for the purpose of giving bounties to the protected industry, and the Government of India in this particular case set apart a portion of the sum so raised to be distributed to the provinces for the purpose of stimulating the salt industry. There can be no other purpose in giving the money to the provinces. The salt tax is not a provincial tax. It was not imposed for provincial purposes. Apart from that, supposing there was no such undertaking, what is the position? The Government of Bengal sympathise with the resolution passed in this Council protesting against the imposition of this tax; they themselves

have protested against its imposition. I take it, therefore, that even in the opinion of the Government of Bengal this imposition upon the consumers of salt in Bengal was wrong. If it was wrong, then the money obtained from it was not exactly clean money unless it was going to be devoted to the expiation of that wrong, and that expiation can be done by developing the salt industry in this province. So that even apart from any question of Sir George Schuster's undertaking, I think it was up to the Government to make some definite move towards making some experiment at least for the purpose of developing the salt industry in Bengal. We have been told on the authority of Mr. Thompson that it is impossible to manufacture salt in Bengal. Possibly it is, but no industry has accepted an *ex*-cathedra opinion of experts like this without at least making some experiment. Has that experiment been made here? Sir, I remember that when I was young, we were definitely assured on expert authority that it was impossible, or if not exactly impossible, that it would be uneconomical and eventually imposible, therefore, to manufacture cotton cloths in Bengal in competition with Bombay. But now we have a flourishing cotton mill industry in Bengal. So that the opinion of experts, although they may be in the special confidence of the sun and the moon and specially authorised to express an opinion which may influence the destinies of the salt producers, yet it cannot be accepted as the final word on the subject. Government inquired into the matter but, as Mr. Guha has pointed out, that inquiry was wholly unsatisfactory. So I think it is up to Government to make some earnest endeavour in the shape at least of an experiment, or to start pioneer undertakings for the matter of that, and demonstrate the truth of the proposition that salt industry on a commercial scale is not possible in Bengal. But that proposition is hard to swallow in face of the fact that not only 150 years ago, but in quite recent times salt was manufactured and it is being manufactured even now in Bengal in the Midnapore district and during the early days of the civil disobedience movement large quantities of salt were manufactured illicitly. Having regard to all that, people will not be satisfied with a mere *ex*-cathedra opinion of experts like this. If it is found to be impossible to devote these funds to the purpose of developing the salt industry, what then should we do? Shall we merge it in the general balances and make more money available for the police department? There is such a thing as the doctrine of *cy près*. If it is trust money, then Government should keep its faith and employ it on a similar object if it is not found possible to devote it to the purpose for which it was earmarked. I again repeat if Government look upon this money religiously as trust fund, then they should at least devote it for the purpose of developing some other industry or making some improvements in agriculture, or take some steps which would add to the wealth of the people of the province. But Government has not yet taken such steps; it has calmly swallowed what it got last year

and proposes to swallow also what it will get this year. I do not know on what principle this can be justified, but I submit that there is no answer to our claim that this money should be devoted to the development of the salt industry in Bengal or at any rate for a similar purpose.

The Hon'ble Mr. J. A. WOODHEAD: Mr. Basu commenced his speech by saying that a definite assurance had been given by the Hon'ble the Finance Member of the Government of India, but I think, Sir, he made that observation before he had referred to the resolution passed by the Legislative Assembly which, I would suggest, is the final word in the matter. That resolution does not contain an assurance of the kind attributed to the Hon'ble the Finance Member, and surely we are entitled to presume that there is no divergence between the statement of the Finance Member and the resolution passed by Assembly a day or two later. Surely it is correct to presume that the Assembly resolution represents the real state of affairs, and that there was no divergence of opinion or intention between what the Finance Member said one day and what was passed by the Assembly a day or two later. This is the Assembly's resolution—

"This Assembly recommends to the Governor General in Council that, in the event of the Bill to impose a temporary additional duty of customs on foreign salt becoming law, the proceeds of the additional duty, after deducting such amounts (not exceeding one-eighth of the whole) as may be required for disbursement by the Governor General in Council for the development of certain Northern India salt sources in the manner recommended by the Salt Survey Committee and for the investigation of the possibility of the development of other sources in India for the supply of salt to those areas which at present consume imported salt....."

I stop here, because I think that this portion of the resolution deals with the matter to which Sir George Schuster was referring. The one-eighth was retained by the Government of India for two purposes, *viz.*, the development of certain Northern India salt sources and for the investigation of the possibility of the development of other sources in India. The resolution then goes on to say—and this is the portion with which the Local Governments are particularly concerned, "This Assembly further recomends that the attention of the provincial Governments who may receive a portion of the revenue which is to be distributed should be called to the views expressed in this Assembly as to the desirability of applying such revenue in certain ways and in particular to the development of salt-production, where economically feasible, within their own provinces." In the letter in which the Government of India communicated that resolution to the Local Governments they made these observations. The rider to this resolution, that is, the portion of resolution which I have just read out, was worded in the form in which it stands in order to meet the wishes of

the party leaders in the Assembly without at the same time binding the discretion of Local Governments, or making the shares allotted to them dependent upon formal stipulations. The phrase regarding the views expressed in the Assembly as to the desirability of applying such revenue in certain ways refers to the opinions expressed by some speakers that Local Governments should apply the money to nation-building services; preferably to some non-recurring work, since the Bill was only of a temporary character. Sir, I suggest that the resolution and the letter from the Government of India make it perfectly clear that the money was given to the provinces without any formal stipulation whatosever. The resolution recommended that the revenue should be spent in certain ways, but it was nothing more than a recommendation and the ways recommended were two and not one. One was the application of the money to nation-building services and the other was to the development of the salt industry in the provinces.

One-eighth of the duty was retained by the Government of India for investigating the possibility of developing other sources in India and the Government of India appointed Mr. Pitt, who was, I believe, the General Manager of the Northern India Salt Mines, to hold an inquiry. Mr. Pitt's report was received in April, 1932, and it is perhaps unfortunate that Mr. Basu has not read it Mr. Guha, who has read it, takes the view that Mr. Pitt's conclusions were entirely wrong and apparently that is the opinion of Dr. Sen Gupta also, but might I, Sir, place the conclusions of Mr. Pitt before the House? Those conclusions were definitely against the possibility of the establishment of a salt industry in Bengal.

As regards large scale manufacture whether by solar evaporation or by the vacuum process, he described it as not a practical proposition in Bengal. As regards smaller factories operating the evaporation process, his conclusion was that such factories would barely pay their running expenses. He was certainly not optimistic as regards the success of these factories and expressed the view that Government should not take any part in the conduct of such an experiment beyond posting and paying for the preventive staff which would be necessary at the factory in order to ensure that breaches of the Salt Act did not occur. Before I come to the possibilities of salt as a cottage industry, there is one other point as regards small factories. Mr. Pitt suggested for consideration the adoption of an improved method of combined solar and artificial evaporation. He proposed that an experiment might be made on a small scale, but he estimated that the cost of production *ex*-factory by that process would be Rs. 81-4 per 100 maunds. At the time Mr. Pitt conducted his inquiry, the price of sea-borne salt, whether from Aden, Karachi, Okha or countries on the borders of the Red Sea was in the region of Rs. 66 per 100 maunds *ex*-ship. Now I suggest that if it costs Rs. 81-4 to produce salt by a small factory operating

somewhere in the Sundarbans or on the east or west coasts of the Bay of Bengal, that salt cannot compete with salt which is sold *ex*-ship at Rs. 66 per 100 maunds. It is clear that that is not a practical proposition. As regards the cottage industry, Mr. Pitt was still more despondent and he estimated that in order to produce salt which could compete commercially with imported salt, the price of which was, as I have said, then Rs. 66 per hundred maunds *ex*-ship and if Mr. Guha's information is correct, it will now be not more than Rs. 56-12, a labourer would only be able to earn 9½ pice per day, that is less than 2½ annas per day. If that estimate is correct, then certainly there is not much hope of establishing a cottage industry.

I trust, Sir, it will be agreed that in view of Mr. Pitt's report Government were justified in deciding that they would not spend the money in attempting to manufacture or in encouraging the manufacture of salt in Bengal. It is not a question whether or not salt can be produced in Bengal. You can produce salt; all you have to do is to boil salt water, whether heavily saline or slightly saline, and you will get salt. The question is not the production of salt—there is no secret in its manufacture nor is there any technical difficulty which requires investigation; we have all seen salt being produced on the west coast when journeying by train to Bombay. The point at issue is whether Bengal can produce salt commercially in competition with salt from Aden, Karachi and Okha. If that is not possible, it is no use wasting money in attempting to manufacture salt in Bengal. I have given you the price at which it can be manufactured in Bengal and if that figure is correct, Bengal salt cannot compete with sea-borne salt.

Under those circumstances, Sir, Government decided that the money should not be devoted to experiments in attempting to produce salt on a commercial scale in Bengal and I maintain, and I hope the House will agree with me, that Government were fully justified in arriving at that conclusion. In further support of my argument I would refer to the report of the Tariff Board. The Tariff Board also conducted an inquiry into salt, and if you read their report, you will find that they did not suggest that it was likely that Bengal would be able to supply salt for the Bengal market. In fact, their main recommendation was that the Bengal market should be supplied by salt from northern India

It has been suggested by several speakers that the Local Government should have done something: but it has not been suggested what we should have done. What we have done is this, we have given permission for the manufacture of salt to several firms who wished to investigate the possibility of the salt industry. Some of them waited to see the result of Mr. Pitt's inquiry before deciding what they should do, and our latest information is that not one of these firms has made much progress in the manufacture of salt, not because they do not

know how to make salt but because—and here I am making a guess, a shrewd guess, I hope—their difficulty is that they cannot produce salt as a commercial proposition in competition with sea-borne salt.

Dr. Sen Gupta, if I understood him rightly, made rather an unusual statement. He said that protective duties are always imposed for the purpose of giving bounties. That, Sir, is not so, they are not always imposed for that purpose. The large majority of the protective duties which have been imposed in India—and I think I can speak with some authority because I have been closely associated with this matter—have gone to swell the revenues of the Government of India. The duties on cotton piece-goods, sugar.....(A VOICE: What about the Tatas?) Well, Sir, no bounties are now paid to the Tata Iron and Steel Company. The duty on corrugated iron, as Dr. Sen Gupta knows, was raised to a high figure in order to give protection to Tatas and it has produced a considerable amount of revenue for the Government of India. But no bounties have been paid to Tatas out of the duty on corrugated iron sheets. (Dr. SEN GUPTA: This money was a gift). It was not a gift. Bengal was paying the salt-duty and she claimed it; that was the whole gist of Mr. Guha's case.

Sir, I maintain we have made the best possible use of the money. We have used it for improving our financial position, and surely our financial position is bad enough. Might I also remind the House that additional money has been devoted to the transferred departments? The Hon'ble Minister in charge of Industries has obtained money for a scheme in connection with unemployment in which Mr. Basu himself is very interested (Mr. NARENDRA KUMAR BASU: A pittance), and we have allotted money for experiments in connection with small sugar factories in order to develop the sugar industry in Bengal. More money has been provided for the distribution of quinine and we have also allotted funds for the introduction of certain parts of the Compulsory Primary Education Act. So a certain amount of money has been devoted—I do not say from this particular sum but from Government revenues—in these times of financial stringency, to effecting improvements in the transferred departments. Sir, I oppose the motion.

The motion of Mr. Narendra Kumar Basu was when then put and a division taken with the following result:—

AYES.

Ali, Maulvi Nassan.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Banerjee, Babu Jitendralal.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Maulvi Syed Osman Haider.
Chaudhury, Maulvi Nurul Abser.
Chaudhury, Maulvi Abdul Ghani.
Kaufji, Maulvi Nur Rahman Khan.
Fazlullah, Maulvi Muhammad.
Hakim, Maulvi Abdul.
Hoque, Kazi Emdadul.
Hussain, Maulvi Muhammad.
Khan, Khan Bahadur Maulvi Muazzam Ali.
Khan, Maulvi Yamiruddin.
Maiti, Mr. R.
Mukhopadhyay, Rai Sahib Saral Chandra.

Quasem, Maulvi Abul.
Rahman, Maulvi Azizur.
Ray, Mr. Shanti Shekhareswar.
Roy, Babu Hemal.
Roy, Babu Jitendra Nath.
Roy Choudhuri, Babu Hem Chandra.
Samad, Maulvi Abdus.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.

NOES.

Armstrong, Mr. W. L.
Austin, Mr. J. M.
Bai, Babu Lalit Kumar.
Bai, Rai Sahib Sarat Chandra.
Barua, Rai Sahib Panchanan.
Basu, Babu Jatindra Nath.
Blandy, Mr. E. N.
Bose, Mr. S. M.
Burn, Mr. H. N.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Das, Rai Bahadur Satyendra Kumar.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ganguli, Rai Bahadur Sasi Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Guha, Babu Protulla Kumar.
Henderson, Mr. A. G. R.
Hogg, Mr. G. P.
Hooper, Mr. G. G.
Hossain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Khan, Mr. Razaur Rahman.
Law, Mr. Surendra Nath.
Lockhart, Mr. A. R. E.
Maguire, Mr. L. T.
Mitter, the Hon'ble Sir Provash Chunder.
Mitra, Babu Sarat Chandra.
Mullick, Mr. Mukunda Behary.
Nag, Babu Suk Lal.
Nag, Reverend B. A.
Nandy, Maharaja Srin Chandra, of Kasimbazar.
Nazimuddin, the Hon'ble Mr. Khwaja.
Norton, Mr. H. R.
Petre, Mr. G. F.
Philpot, Mr. H. G. V.
Poddar, Mr. Ananda Mohan.
Prentice, the Hon'ble, Mr. W. D. R.
Proctor, Lt.-Col. A. H.
Raheem, Mr. A.
Rahman, Mr. A. F. M. Abdur-
Rai Mahasai, Manindra Deb.
Ray, Babu Amulyadhan.
Ray, Babu Khetter Mohan.
Ray, Babu Nagendra Narayan.
Ray Chowdhury, Mr. K. C.
Reid, Mr. R. N.
Roy, Babu Haribansa.
Roy, Mr. Saileswar Singh.
Roy, Mr. Sarat Kumar.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Sadaatullah, Maulvi Mahammad.
Sarkar, Rai Sahib Rebati Mohan.
Sen, Mr. B. C.
Sen, Rai Sahib Akshay Kumar.
Singh, Srijut Taj Bahadur.
Singleton, Mr. H. E.
Steven, Mr. J. W. R.
Thompson, Mr. W. H.
Townend, Mr. H. P. V.
Wilkinson, Mr. H. R.
Woodhead, the Hon'ble Mr. J. A.

The Ayes being 27 and Noes 64, the motion was lost.

Mr. H. R. NORTON: Sir, I rise to move the motion that stands in my name. It runs as follows: "That the demand of Rs. 17,05,000 under the head '6—Excise' be reduced by Rs. 100 (to emphasise what taxation is required)."

I would like, Sir, to draw the attention of the House to the grant we are called upon to sanction. Last year there was a drop of 22¾ lakhs of rupees in excise revenue against the anticipated amount; this year a further drop of Rs. 30 lakhs is expected; yet we are called upon to vote Rs. 42,000 more for expenditure than the revised estimates of 1931-32——.

Mr. PRESIDENT: May I sound a note of warning to Mr. Norton that the guillotine falls at 5-43 p.m.

Mr. H. R. NORTON: Very well, Sir, I will then get to the taxation portion.

Everyone will agree with me that even with a return of part of the jute tax and income-tax, further taxation is necessary in Bengal if the new reforms are to be successful and if indeed provincial budgets are to be balanced at all.

Nation building must begin at the bottom with primary education, but who is going to pay for it. You have the Primary Education Act but it cannot work as you have no funds for it. I am going to tell you how to raise that money from the masses, who will then pay indirectly for the privilege of being educated. It will be such a small amount individually that they will never miss it. At present the various forms of taxation, whether direct or indirect, apply too frequently to one section of the community, and in this Bengal is the principal offender amongst the provinces. Sir, let me refer you to excise revenue in Bombay, Madras and Bengal in 1929-30. While Bombay raised Rs. 407 lakhs, Madras Rs. 592 lakhs Bengal only raised Rs. 226 lakhs.

Now toddy is taxed, opium is taxed, and as excise on these cannot be increased, other avenues must be found; then why not *pan*. It was subject to excise under the East India Company, but the tax has since fallen into disuse; I say revive it. I can hear Government putting forward the difficulties in the way of collecting this tax, which surely would not be more difficult than that of collecting the tax on opium and toddy.

Taking the census figures for 1931, the population in Bengal of over 10 years of age must be about 37 millions; suppose only half of them consume *pan* and again suppose they consume no more than six each per day on an average, this would mean that about 111 million *pans* are consumed in a day in Bengal. If the excise tax on *pan* was at the rate of one pie per hundred *pans* you will get an annual income of Rs. 21 lakhs. What an income to start off the Primary Education Act with!

Another source of revenue is the taxation of mineral waters. Government have imposed an excise tax on whisky at the rate of Rs. 2-4 per case. I would ask Government to remove that tax and tax the whole output of mineral waters in Calcutta. In Bengal you have got a large number of factories; in Calcutta there are about 120 factories. All that we require is that they should be registered and they should submit their quarterly returns to Government and pay a tax of, say, one anna per dozen. On the figures I have got you will get a revenue

of about Rs. 25 lakhs from this source, that is, 20 times more than the small excise tax you derive from imported whisky.

For the taxation on *pan* I would suggest that all the places where *pan* is grown be enclosed with a netting and they should be registered in the district offices where each cotta of *pan* growing land should pay at the rate of Rs. 2 to Rs. 2-8. You will then have Rs. 21 lakhs. Government can control the price of *pan* leaves when they are sent to Calcutta for sale.

Another source of excise tax is the *biri* leaf which is imported in enormous quantity in Bengal. By imposing a small tax on it you will get about Rs. 15 lakhs per annum in Bengal.

You can also tax cigars and cigarettes which are manufactured in Bengal. You have factories opening out here for the manufacture of cigarettes and cigars to evade the heavy import duties that are placed on them by the Government of India. Now, there is a chance for the Bengal Government to impose a little tax of one anna per 50. What an income would Bengal derive then!

I, therefore, recommend the following suggested minimum incomes to the Hon'ble the Finance Member—

				Rs.
Pan	...	...	...	20 lakhs.
Biri leaves	...	...	...	15 lakhs.
Minerals	...	...	...	20 lakhs.
Cigars and cigarettes	...	...	...	5 lakhs.

for his serious consideration. I do not think that he will have the masses objecting to the small taxation I have proposed. In conclusion I recommend my motion to the House.

On the motion being put a division was claimed with the following result.

AYES.

All, Maulvi Hassan.
Armstrong, Mr. W. L.
Austin, Mr. J. N.
Banerji, Mr. P.
Banerjee, Babu Jitendralal.
Burn, Mr. N. N.
Cooper, Mr. C. C.
Dain, Mr. G. R.
Haque, Kazi Emdadul.
Kasem, Maulvi Abul.
Lockhart, Mr. A. H. E.
Maguire, Mr. L. T.
Norton, Mr. H. R.
Petre, Mr. B. F.
Roy, Babu Jitendra Nath.
Samad, Maulvi Abdus.
Steven, Mr. J. W. R.
Thompson, Mr.

NOES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Sarat Chandra.
Barma, Rai Sahib Panchanan.
Bhandy, Mr. E. N.
Bose, Mr. S. M.
Chaudhuri, Maulvi Syed Osman Haider.
Cohen, Mr. D. J.
Das, Rai Bahadur Satyendra Kumar.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ganguli, Rai Bahadur Sasi Kumar.
Ghaznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Radridas.
Guha, Babu Profulla Kumar.
Guha, Mr. P. R.
Huque, Khan Bahadur Maulvi Azizul.
Henderson, Mr. A. R. R.
Hogg, Mr. G. P.
Hooper, Mr. G. G.
Hussain, Maulvi Latafat.
Khan, Khan Bahadur Maulvi Muazzam Ali.
Khan, Mr. Razaur Rahman.
Law, Mr. Surendra Nath.
Maiti, Mr. R.
Mitter, the Hon'ble Sir Provash Chunder.
Mitra, Babu Sarat Chandra.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Mullick, Mr. Mukunda Behary.
Nag, Babu Beh Lal.
Nag, Reverend B. A.
Nandy, Maharaja Sris Chandra, of Kasimbazar.
Nazimuddin, the Hon'ble Mr. Khwaja.
Philpot, Mr. H. G. V.
Prentice, the Hon'ble Mr. W. D. R.
Proctor, Lt.-Col. A. H.
Quasem, Maulvi Abul.
Rahoem, Mr. A.
Rahman, Mr. A. F. M. Abdur.
Raikut, Mr. Prasanna Deb.
Rai Mahasai, Manindra Deb.
Ray, Babu Amulyadhan.
Ray, Babu Khetter Mohan.
Ray, Babu Nagendra Narayan.
Ray Chaudhury, Babu Satish Chandra.
Reid, Mr. R. N.
Roy, Babu Haribansa.
Roy, Mr. Saileswar Singh.
Roy, Mr. Sarat Kumar.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Sadullah, Maulvi Muhammad.
Sarkar, Rai Sahib Rohini Mohan.
Sen, Mr. S. R.
Sen, Rai Sahib Akshoy Kumar.
Stapleton, Mr. H. E.
Townend, Mr. H. P. V.
Wilkinson, Mr. H. R.
Woodhead, the Hon'ble Mr. J. A.

The Ayes being 18 and the Noes 59 the motion was lost.

The demand under "6—Excise" was then put and agreed to.

7—Stamps.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 4,78,000 be granted for expenditure under the head "7—Stamps." The details of this demand will be found on page 60 of the Budget Estimate and page 36 of the Financial Statement.

Maulvi NUR RAHMAN KHAN EUSUFJI: I beg to move that the demand of Rs. 4,78,000 under the head "7—Stamps" be reduced by Rs. 100 (to draw attention of Government to the excessive value of stamps and the effect thereof).

The object of my moving this motion is very simple. It is only to draw the attention of Government to the exorbitant value of stamps. In these hard days of economic depression the poorer people are all the more hit. As usual, litigation must go on, but the poorer people on account of the excessive stamp duties are not in a position to pay up court-fees and other stamp duties that are necessary for filing suits.

The effect of the excessive value of stamps has nowadays been to deny to the poorer section of the people the advantages of law courts. They are deprived to a great extent from going to the law courts to get their grievances redressed. My intention is simply to raise a discussion. So I do not like to take any more time of the House.

The Hon'ble Mr. J. A. WOODHEAD: I must oppose this motion. Stamp duties were increased in 1922. They have not been increased since. They were increased with the object of getting more revenue, and I hope it must be clear to all of us that we cannot possibly forego any revenue at the present moment. And might I remind the House that certain provinces in which the increased duties were abandoned when their financial position was better in 1927-28 have been compelled to reimpose them. In the United Provinces certainly this has been the case. Our duties are also not in every case the highest in India; in some cases they are lower than the duties in some of the other provinces. I oppose the motion chiefly because we need the revenue and cannot possibly forego it.

The motion was then put and lost.

The main demand was then put and agreed to.

8—Forests, 8A—Forests—Capital outlay charged to revenue, and 52A—Forests—Capital outlay not charged to revenue.

The Hon'ble ALHADJ SIR ABDELKERIM CHUZNAVI: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 8,35,000 be granted for expenditure under the head "8—Forests" and "8A—Forests—Capital outlay charged to revenue."

It will be noticed that the demand for the year 1933-34 is less than that of 1932-33, 1931-32 and 1930-31 by Rs. 61,000; Rs. 2 lakhs and Rs. 3,09,000, respectively. The reason for this steady decrease in expenditure is that, we have been compelled to observe stricter economy in framing the budget even below the real requirements of the department, firstly, owing to the financial crisis which this province has been going through since 1929-30, and secondly, because of the continued slump in the market for forest produce. Such economy must have adverse effect on the prospects of earning increased revenue when times returned to normal but, unfortunately, there is no help for it.

The Forest Department is very remunerative in normal times. There has been in the past a steady increase in the net revenue of the department after deducting the recurring and capital expenditure. The surplus of revenue over expenditure rose from Rs. 8 lakhs in 1919-20 to Rs. 16 lakhs in 1925-26 and Rs. 14 lakhs in 1926-27. During

1928-29, the net revenue exceeded Rs. 14 lakhs. In 1930-31 the surplus was over Rs. 13,85,000. Even in 1930-31 when the country was under the grip of severe economic distress and world-wide trade depression, this department yielded a net surplus of Rs. 6,47,000. But owing to the persistent nature of the depression in trade and commerce which affected most adversely this department in particular, we have hardly been able to balance our budget in spite of our utmost efforts to improve matters in all possible directions. The manner in which this trade depression has affected this department will be clear if we look to the heavy fall in forest receipts since 1929-30. The gross revenue of the department rose from Rs. 16 lakhs in 1919-20 to Rs. 29 lakhs in 1929-26 and Rs. 31 lakhs in 1929-30. In view of the catastrophic fall in prices it at once came down to about Rs. 23½ lakhs in 1930-31 and Rs. 17 lakhs in 1931-32. On the assumption that trade conditions would somewhat improve, the current year's estimate of forest receipts was fixed at Rs. 18 lakhs against the revised estimate of Rs. 16,25,000 for 1931-32. The progress of actuals, however, indicated that the general slump in the timber market and the economic condition of the people which prevailed last year still continued, resulting in a further fall in sales. The revised estimate has accordingly been fixed at Rs. 15½ lakhs and the same for the next year's estimate.

Forest revenue depends, as is well known, directly on the timber market which again is largely conditioned by the purchasing power of people and unless this purchasing power improves and improves considerably through an increase in general prices, it is certain that the receipts from forests cannot be expected to return to figures which before 1930 were looked upon as normal. The work of the forest utilisation officer whose duty it is to find markets for forest produce, which in the past was done by a divisional forest officer in addition to his own duties is now being done by a whole-time officer so as to compete successfully with other timber-producing countries and provinces. An officer is worth his salt if he can command a market not only in this country but in outside places like the Sudan and Iraq where they are steadily going on building and extending their railways and it is hoped that this whole-time officer will be able to give good results. His work will be carefully watched.

As already stated, it is unfortunate that we have had to reduce expenditure even below the normal requirements of the department due to abnormal conditions. The expenditure during the ensuing year represents just the bare necessaries of the department and any further reduction in expenditure is sure to result in a heavy fall in revenue. The estimate for the next year under "A—Conservancy, Maintenance and Regeneration" shows an increase of Rs. 64,000 over the revised estimate for 1932-33. The increase is chiefly due to larger provision

for regeneration prescribed in the sanctioned working plans, a provision for Rs. 12,000 for the replacement of the unserviceable boiler of steam launch *Hawk* has also contributed to the increase. Better provision for repairs to roads and buildings, etc., of the Forest Department accounts for the increase in the next year's estimate. Owing to financial stringency during the last three years these works have had to be neglected, but this cannot continue indefinitely and it is proposed to make up part of the lee-way next year.

The demand under the head "8A—Forests—Capital outlay charged to revenue" includes the provision of funds for improvements to communications and buildings. These improvements are essentially necessary for the working of the department. So far as buildings are concerned, it is not possible to dispense with the construction of buildings especially in unhealthy localities where the staff will not be able to work unless properly housed. According to plans drawn up a sum of Rs. 70,000 to Rs. 80,000 was actually required next year, but it has been reduced to Rs. 30,000 only.

Sir, I am sure the endeavours made by this department to increase revenue, combined with the economies effected in expenditure during these years of national calamity would in normal times have produced a surplus much higher than the average net profit of the department in the past. It is a matter of satisfaction that the important scheme for the formation of ranges in the Sundarbans Forest Division has now been put into effect. The necessity for the scheme is well-known to the members of this House as explained by me last year, which is, in short, to prevent continual decline of revenue and gradual depletion of the Sundarbans forests which in the last normal year 1929-30 produced a gross revenue of no less than Rs. 9 lakhs out of a total of Rs. 31 lakhs for the whole of Bengal. It will interest the members of this House to know that this new scheme has been fully carried out inasmuch as all these forest ranges have been well marked out and the launches that we purchased last year have been attached to these ranges. The immediate result has been that whereas formerly there used to be considerable loss of timber in the Sundarbans, that has been checked to a very large extent and it is hoped that when time returns to normal, the Sundarbans yield will exceed what has been derived from it in the past. The Sundarbans forest, if I may say so, is probably the biggest asset amongst all the forests under the Government of Bengal and, therefore, it is fortunate that even in spite of the economic conditions it has been possible for Government to launch upon a scheme and to carry it into effect. But for this, I am afraid, a large portion of our valuable timber in the Sundarbans would have been lost. With these words I commend my motion to the House.

Mr. NARENDRA KUMAR BASU: May I speak generally on the demand before the House?

Mr. PRESIDENT: You have given notice of an economic cut; would you not like to move that?

Mr. NARENDRA KUMAR BASU: Yes, on that motion I would like to speak generally on the main demand.

Mr. PRESIDENT: You cannot move your motion now, for there are already 2 motions ahead of yours. I think they should be moved first.

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that the demand of Rs. 1,67,000 under the head "8A—Forest—Conservancy, maintenance and regeneration" be reduced by Rs. 100 (to raise a discussion on the policy of conservancy, maintenance and regeneration).

My object in moving this motion is not to plead that Government should spend less on conservancy, maintenance and regeneration of the forests, but to challenge the policy of Government in relation to the maintenance and regeneration of the forests generally. As the Hon'ble Member has pointed out, the Forest Department has been in the past a remunerative department, but owing to the financial difficulties of the last few years it has ceased to be remunerative, for I do not think the estimate of income made in the next year's budget—Rs. 15,52,000—is at all likely to materialise; it is an over-estimate on the basis of the revised estimate which is not likely to be realised. Sir, the Forest Department should be looked upon as a purely commercial department. It should be remunerative and productive. Of course in every business there are periods when it must suffer loss and I would not mind if Government suffered a loss or did not obtain enough revenue in one particular year, and I would not, therefore, call upon it to reduce its expenditure on that account immediately. But as there have been a series of years of depression through which we are already passing and many more such years are likely to follow, I think it is time to consider whether there may not be a change of policy, which might enable the Government to meet and balance their current expenditure with their current revenue. Well, Sir, in all probability, if the expenditure estimated is really incurred, there will be a deficit next year; so it is for the Government to decide whether by a change in the system it is not possible to reduce the expenditure still further so as to keep within the bounds of the income. That does not mean that Government should really be spending less on the forests. We are prepared to admit that in respect of the forests such expenditure is not always immediately realised or does not always become immediately

fruitful. You spend money in the expectation of reaping the benefit of it in the future. And I want Government to spend as much as possible for the development of the forests for the purpose of earning large revenues in the future. But that expenditure must be financed not out of ordinary revenues but by means of loan. If we had a progressive and imaginative policy with regard to that, it would go a great way to improve the finances of this province. But expenditure for the purposes of conservancy, regeneration and maintenance out of the ordinary revenues is not work of that character and this expenditure must in any case be kept within the bounds of the income and if it is not possible to budget for a substantial expansion of the service, yet it should be possible to keep within the revenue which this department brings.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 1,67,000 under the head "8A—Forest—Conservancy—Maintenance" be reduced by Rs. 66,500 (to urge abolition of the posts of Second Conservator and Forest Engineer).

I also beg to support the motion which has been moved by my friend Dr. Naresh Chandra Sen Gupta. Sir, of all the departments, I submit that so far as expenditure and over-expenditure is concerned, the Forest Department is probably, if I may use the expression, the rottenest.

Mr. PRESIDENT: Will you take long, Mr. Basu? I had then better adjourn the Council for prayer now.

(The Council was then adjourned for prayer and reassembled 10 minutes later.)

Mr. NARENDRA KUMAR BASU: As I was saying, Sir, the Forest Department, the revenue of which has fallen steadily from Rs. 23½ lakhs in 1929-30 to Rs. 23 lakhs in 1930-31 and to Rs. 16,61,000 in 1931-32, spent in 1929-30 Rs. 15,48,000, in 1930-31 Rs. 15,18,000 and in 1931-32 Rs. 14,97,000. The present year's revised estimate is Rs. 14,65,000, but the budget estimate for 1933-34 is Rs. 15,84,000—even more than the actuals of any of the years that I have mentioned!

The way in which the monies of this department are being frittered away will be seen in the Retrenchment Committee's report. By the way, not a single pice of reduction has been included in the present budget. In the report handed to us, of action taken on the Retrenchment Committee's report, it is suggested that the approximate ultimate saving will be Rs. 17,000 in future years, but not a single pice has been deducted this year. You are aware, Sir, that the duplication of the post of conservator has been condemned in this House from year to year, but the Civil List shows that there is another precious officer called the forest engineer, drawing a salary of Rs. 850, who has been

on leave for three years and is still shown in the Civil List as an of the department, probably drawing a fat leave salary. Then, you will find . . . . I find that the Hon'ble Finance Member is sh his head vigorously, I think he has not seen the Civil List for Jan But this Civil List shows at page 195 the name of this officer.

The Hon'ble Mr. J. A. WOODHEAD: He is on leave wi pay.

Mr. NARENDRA KUMAR BASU: But that is not shown t He is shown as getting Rs. 850 *plus* an overseas pay of £25. Sir, here is a gentleman who is on leave since the 1st February, without any detriment to the department and is still borne on cadre. Then there are Imperial Service officers, several of whom probably kept on because of their several years' war service gi them seniority and pension, and one of them has been under sus sion, for I do not know how long. The Retrenchment Comm reported that the utilisation officer in whose praise the Hon Member has been so loud-mouthed to-day, is an officer who can well be dispensed with. There are several other suggestions mad the Retrenchment Committee with regard to that service which received but scant attention from the Government.

Then, again, in paragraph 57 the Retrenchment Committee that they understand that five elephants are maintained by the dep ment; the necessity of these elephants should be made out. (A vo Are they white elephants or black elephants?) I do not know whe they are white or black or whether they are maintained under Elephant Preservation Act or something of that kind. But I sub that it is clear from what the House has heard that there is absolu no justification for the duplication of the post of Conservator and the maintenance of so many white officers (not elephants) in this dep ment without any rhyme or reason, specially in these lean days.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Ma just ask whether Mr. Basu was speaking on his own motion No on Dr. Sen Gupta's?

Mr. NARENDRA KUMAR BASU: I spoke on both.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Mr. B with his usual eloquence has told the House various things and been pleased to charge the department with not having given some of the recommendations, or, as a matter of fact, to recommendations of the Retrenchment Committee. In the first this question of second circle has been something perennial with Narendra Kumar Basu. He brought it up in 1931; he brought

again in 1932 and he has brought it up again in 1933. In 1931 when he first brought it up I wanted to explain how impossible it was to agree to his proposal, but before I had a chance of replying to him Mr. (now Sir Lancelot) Travers, whose absence we all deplore, got up and stoutly opposed it. I had to supplement his opposition by explaining the necessity of dividing the Forest Department into two circles. Sir George Hart, the then Inspector-General of Forests, in his inspection note, urged the formation of two circles and pointed out that the forest revenue was sufficient to warrant the division. This proposal was considered carefully by the Government. The area of the forests brought under the administration of the department and the revenue derived therefrom have steadily increased since the proposal was first submitted. But apart from future possibilities it appeared to the Government that with the amount of work already on hand the Conservator of Forests was not in a position to exercise that amount of close supervision which the nature of the work demanded. The proposal was sent to the Secretary of State and as it was then seen that the revenue of the department had risen from Rs. 16 to 29 lakhs in 1925-26, the proposal was sanctioned. Therefore as there was this gradual increase even up to the year 1931, I opposed the motion, but in 1932 when Mr. Basu again came up with this motion, the Hon'ble Mr. Marr explained to the House that the Retrenchment Committee which was going to be constituted by Government would consider all these matters. The Retrenchment Committee has formulated its proposals, and further, 1933 is a vastly different proposition from 1931. We have now this abnormal slump and this dire economic distress; we have before us the example of Assam. Government have taken all these matters into their consideration and having done that they have accepted the recommendation of the Retrenchment Committee to keep in abeyance the post of the Southern Conservator of Forests, the consequential result of which is that the two offices will be amalgamated, which will result in a saving of recurring annual expenditure of something like Rs. 49,700. This is what the Forest Department is doing and at the same time it has been decided by Government to give effect to this ——— from the beginning of the next financial year. But it must be realised that the matter has to be sent up to the Government of India in order to obtain the assent of the Secretary of State; that has been done and the assent of the Secretary of State to this proposal is awaited. It will be seen, therefore, that this department has properly taken steps to give immediate effect as it were to the most effective of the recommendations made by the Retrenchment Committee to which pointed attention has been drawn year after year by my friend Mr. Narendra Kumar Basu. So I am quite prepared to give Mr. Basu all the credit for this very desirable economy, desirable also from the point of view of my hon'ble colleague, the Finance Member.

Now I turn to something else, that is, the forest engineer, the abolition of whose post finds a place in the recommendations of the Retrenchment Committee. Would it surprise the members of this House to know that this department long before it received the recommendation of the Retrenchment Committee decided to carry on the department without the services of that gentleman so that he is longer there? Then, again, I am greatly obliged to Dr. Sen Gupta for having drawn the attention of the House to the necessity of providing as much money as possible in order to develop the forest revenue. That is all very good. But if he is in favour of providing money for developing forest revenue, how can he in the same breadth propose a cut under the heads "Conservancy," "Maintenance" and so on?

(At this stage the time-limit for the discussion of the demand was reached.)

With these words I oppose the motions.

The motion of Dr. Naresh Chandra Sen Gupta was put and lost.

The motion of Mr. Narendra Kumar Basu was put and lost.

The main demand put in was then put and agreed to.

9—Registration.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 18,27,000 be granted for expenditure under the head "9—Registration."

Sir, the demand for the year 1933-34 is Rs. 18,27,000 against Rs. 18,94,000 for the current year. There is thus a decrease in expenditure by Rs. 67,000 in round figures. During the current year savings to the extent of Rs. 1,29,362 have already been surrendered.

Strict watch has been kept over details of expenditure and the most rigid economy observed in all directions. From the beginning of the year steps have been taken to curtail expenditure on lines indicated in some of the recommendations of the Retrenchment Committee.

Transfer of officers has been reduced by at least 50 per cent. and tours of inspection curtailed. A number of offices has been abolished and recruitment of officers has been stopped for two years; vacancies in the posts of ministerial staff have not been filled up except in cases where it has been unavoidably necessary. A large amount has been saved by keeping a strict watch over the employment of extra *muharrirs* by exacting more work from the permanent staff and by introducing a system of provisional transfers of *muharrirs* from one office to another to clear off arrears and by extending the time for completion of documents. Reduction of rents of sub-registry office buildings has been effected by urging landlords to accept a lower rate of

rent. Therefore, it will be seen that as far as possible not only effect has been given to the recommendations of the Retrenchment Committee but a very strict watch has been kept over expenditure, and savings have been effected wherever possible.

One of the most important problems of the department is that of buildings for sub-registry offices and sub-registrars' quarters. But all the buildings schemes have been held in abeyance owing to want of funds. Congestion in record-rooms has been removed to some extent for the present at least by providing record racks out of the grant of Rs. 10,000 made in the current year. Book-binding and repairs of furniture are two other pressing demands. Although the most urgent cases have been attended to as far as possible with the help of the ordinary grant under the head "Contract contingencies," it has not been possible to touch even the fringe of the problem. A special provision of Rs. 10,000 has, therefore, been made for this purpose this year. With these words I commend my motion to the acceptance of the House.

Rai Bahadur SATYENDRA KUMAR DAS: I beg to move that the demand of Rs. 16,025 under the head "9A—Superintendence—Pay of Inspector-General" be reduced by Rs. 100 (to draw attention to desirability of amalgamating the post of Inspector-General of Registration with the Commissioner of Excise).

Sir, it is an economic cut. So my suggestion would be how the same work can be done at a cheaper cost.

Well, Sir, the same work can really be done at a cheaper cost if you amalgamate (*a*) the post of Inspector-General of Registration with that of the (*b*) Commissioner of Excise.

This was actually suggested by the Retrenchment Committee, but, as usual, it was rejected by the Government without any reason being assigned.

The Government may have a right to reject, but it is not always a good, much less wise, policy to reject, and without reason.

I find no reason why the Government has rejected this recommendation of the Retrenchment Committee. We have got a right to know the reasons for its rejection. I am sure the Government has got absolutely no reason to reject, therefore no justification for rejection.

We know that the Inspector-General of Registration as a member of the Council of State spent nearly half of the year in Delhi and Simla. His personal assistant worked in his place during his absence. And the work did not suffer in the least. So you see you can very easily abolish the post of the Inspector-General of Registration. Then why not do it? Statistics show that the work in this department is not on the increase.

Neither the quality nor the quantity of the work done by the Inspector-General of Registration, justifies the existence or retention of his post. The nature of his work has been examined and found to be of a routine character.

It has also been found that the Commissioner of Excise can easily perform the work of the Inspector-General of Registration in addition to his present duties. Only, Sir, what I suggest is that the said Commissioner will be assisted by the personal assistant to the Inpector-General and by the inspector of registration offices.

Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, I rise to oppose this motion. I have some knowledge of the working of the department which is being discussed now. My friend referred to an argument which was advanced by the Retrenchment Committee which met about ten years ago. When that committee was appointed, the Inspector-General of Registration had an assistant who was also a member of the Bengal Civil Service and in respect of position and status both the Inspector-General of Registration and his assistant were almost the same. Naturally in the absence of the former the latter was quite competent to discharge the duties of the Inspector-General of Registration. So if the Inspector-General of Registration at that time was absent for four or five months, his assistant could carry on his work during his absence, but the same is not the case now. At present, if I remember aright, the personal assistant to the Inspector-General of Registration is a mere sub-registrar who is of the position of a common clerk. If you say that the work of the Inspector-General of Registration can now be done by a common sub-registrar, then you do not seem to give much importance to the position and work of the Inspector-General of Registration. Even when the new Retrenchment Committee made its recommendation, I believe they did not care to inquire whether they were right in coming to the same conclusion as was arrived at by their predecessors. So I do not see how we can get rid of a provincial service man from the department.

Sir, I have a little knowledge of the Excise Department as well. There is certainly no affinity of work between the two departments. If there had been the slightest affinity between the two departments, I would not have hesitated to support the proposal for amalgamation, but the work of the two departments is entirely different. Then, Sir, there is every chance of an Excise Superintendent occupying the position of Excise Commissioner in time. The Excise Department has been absolutely separated from the general service. They have got their own officers and it is in the fitness of things that an officer of the department should occupy the position of Excise Commissioner in course of time, if you want to provincialise your services. So, if you suggest that a man who has specially been trained in a particular department should be put in charge of another department

of which he has no knowledge, I am not in favour of such an experiment. The members of the Indian Civil Service have a special training for all the departments and it has been found from experience that they have proved very efficient officers wherever they have been placed; and I have nothing to say so far as they are concerned. I have never heard of any proposal from a public man that an excise officer should be allowed to do the work of a deputy magistrate. That being the case, when the excise service was reorganised and separated from the general department, I cannot understand how the Commissioner of Excise who ought to be recruited from that department in course of time could be also Inspector-General of Registration. Further, I do not think that Government will be justified in allowing the Commissioner of Excise to do the work of the Inspector-General of Registration, because the work of the Commissioner of Excise is really very onerous. If he has to do his work honestly, he will absolutely have no leisure, as far as I know, for any other work. My friends should know that he has to look after a revenue-yielding department which, if properly worked, ought to yield in Bengal at least 3 crores of rupees. If he is allowed to devote himself to any other duties, he will not be able to exercise a proper control over his department which practically yields about one-third of the total revenue of the province. I know that vigilance and constant attention of the Commissioner is necessary to maintain the revenue at a proper level and the moment vigilance is withdrawn, the revenue of the Excise Department will come down to half. A little mixture of water is enough to bring down the revenue under this head. If the Excise Commissioner is on the alert and exercises proper supervision over the superintendents and inspectors and other subordinates, he can increase the revenue. If, however, on the other hand, he is allowed to do other work, he will not be able to do properly the work of his own department which will consequently suffer. That is the point which, I think, ought to be very seriously considered by the Government. These are abnormal times, but you are keeping your Members and Ministers because you say their services are required. I do not understand how you can say that you want to reduce the number of officers whom you have appointed to certain posts for a certain number of years. If you say that you cannot dispense with the services of those part-time officers whom you have brought from public life, in what breath can you say that you will deprive the poor officers of their appointments because of bad times? There is absolutely no justification that any officer should be reduced even though in abnormal times abnormal arguments can be put forward. I would, therefore, strongly oppose the motion of the Rai Bahadur.

Mr. P. BANERJI: Mr. President, Sir, I rise to support the motion of my friend, Rai Satyendra Kumar Das Bahadur. I must first of all point out that the Nawab Sahib suggested that an old

argument has been brought forward in this motion, but it is not the case. In this connection I must refer to page 25 of the report of the Retrenchment Committee of 1932 where they suggested in so many words the very thing brought forward in this motion, *viz.*, the amalgamation of the two posts—the Inspector-General of Registration and of the Excise Commissioner. The Nawab Sahib has given a first class certificate to the members of the Indian Civil Service who are *sabjantas* and can do everything and possibly the other persons who belong to the Bengal Civil Service or other Indians who are not members of the Indian Civil Service cannot do such work. My friend, the Rai Bahadur, has never said that by the amalgamation a non-Indian Civil Service officer should be put there; he has rather suggested that economy may be effected and in the first part of his speech he has shown how this economy could be effected by amalgamation. I have every respect for the experience of the Nawab Sahib who was a Minister of the Government of Bengal some years ago, but since then things have so changed that the present Retrenchment Committee has definitely recommended the amalgamation of the two posts. Let us go into the details given by the Nawab Sahib. He has stated that the Excise Commissioner is an officer who is fully busy with his own work and no other work can be given to him and if additional work be given to him, there will be a risk of an increase in the illicit manufacture of country spirit. But that is not so. I may tell the Hon'ble Minister that that is not the state of affairs and with some knowledge of the inner working of the department I can tell him that at present the Excise Commissioner is not doing anything except the signing of official documents and the giving of advice on the grant of licenses and so on, and in fact the Collector is all in all, looking after the department in Calcutta and there are other district officers who look after the work in the *mufassal*.

[It being 7 p.m. of the clock:—]

Mr. PRESIDENT: Mr. Banerji, will you take much more time?

Mr. P. BANERJI: Yes, Sir, I want a few minutes more.

Mr. PRESIDENT: Very well, you may then speak to-morrow.

Adjournment.

The Council was then adjourned till 3 p.m. on Friday, the 17th March, 1933, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Friday, the 17th March, 1933, at 3 p.m.

Present.

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 99 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Accounts of the Calcutta Port Trust.

*61. **Mr. SYAMAPROSAD MOOKERJEE:** Will the Hon'ble Member in charge of the Marine Department be pleased to state—

(a) whether it is a fact that it is contemplated as a measure of economy to do away with the existing arrangement sanctioned by Government for having the accounts of the Calcutta Port Trust audited by the Assistant Director of Commercial Audit and his staff;

(b) what arrangements do the Port Trust intend to make for getting the accounts of the Trust audited; and

(c) whether the Government are considering the desirability of urging the Port Commissioners to employ some reputed Indian firm of Accountants and Auditors, if the question of engaging Public Auditors arises for auditing the accounts of the Trust?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (a), (b) and (c) The question of the audit of the Calcutta Port Trust accounts is at present under discussion between the Calcutta Port Commissioners, the local Government and the Government of India, and it is impossible at the present stage to say what the decision will be.

Reduction of free studentships in the Dacca Division.

*62. **Maulvi NUR RAHMAN KHAN YUSUFJI:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware—

(*i*) that the Inspector of Schools, Dacca Division, has recently issued a circular letter to all the authorities of the high English schools within his jurisdiction to the effect that the 15 per cent. free-studentships hitherto available to the poor eligible Muslim students should be reduced to 5 only; and

(*ii*) that 10 per cent. free-studentships thus released should be given away to the deserving students belonging to the "depressed classes"?

(*b*) If the answers to (*a*) are in the affirmative, will the Hon'ble Minister be pleased to state whether he is aware of any provision being made in the same circular letter regarding distribution of the aforesaid 10 per cent. reserved for the depressed class students, in schools where there are no students belonging to the depressed classes?

(*c*) Is there any provision made in the said circular regarding distribution of surplus seats after satisfying the claims of the deserving depressed class students?

(*d*) If the answers to (*b*) and (*c*) are in the negative, will the Hon'ble Minister be pleased to state whether there is any likelihood of the aforesaid 10 per cent. seats or the surplus seats reverting to the poor Muslim students as of right?

(*e*) Will the Hon'ble Minister be pleased to state whether the said circular has received the approval of the Government?

(*f*) Is the Hon'ble Minister aware of a feeling that exists in the Muslim community that the said circular is calculated to cause immense hardship to the poor and deserving Muslim students?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) No such circular has been issued by the Inspector of Schools, Dacca Division. The member evidently refers to a circular, which provided for free-studentships for members of the backward classes. The proportion available to Muslim students is not affected by the circular.

(*b*), (*c*), (*d*), (*e*) and (*f*) Do not arise.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state at whose cost the scholarships have been taken away?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: General revenue.

Fall of rent in khas mahal areas in Noakhali.

*83. **Maulvi MUHAMMAD FAZLULLAH:** (*a*) Is the Hon'ble Member in charge of the Revenue Department aware that collection of rent in the *khas mahal* areas in the district of Noakhali has fallen to a great extent? If so, why?

(*b*) Is the Hon'ble Member also aware that *khas mahal* tenants in this district are purely agriculturists and are suffering acutely owing to the fall in the price of paddy, jute and other agricultural products?

(*c*) Are the Government considering the desirability of fixing land rent according to the variation of the price of agricultural products, *i.e.*, in proportion to the rise and fall in the price of the agricultural products?

(*d*) Is the Hon'ble Member aware—

(*i*) that the present petty settlement operations in this district are being made now, enhancing the rent by about double the existing rate; and

(*ii*) that the poor agriculturists in the *khas mahals* are in difficulty even in paying the existing rate of rent?

(*e*) What steps, if any, do the Government propose taking to alleviate the misery of the tenants in *khas mahal* during the present acute distress?

(*f*) Is it a fact that the *khas mahal* tenants are being made to pay *salamis* and rents for undeveloped lands along with the arrear rents and that certificates are being issued and properties sold and purchased by Government for less than a rupee for want of private bidders?

(*g*) Will the Hon'ble Member be pleased to state—

(*i*) the number of holdings sold, year by year, from 1929-30 to 1931-32 (up to 31st January, 1933); and

(*ii*) the number of them purchased separately by (*1*) Government, (*2*) private persons?

(*h*) Are the Government considering the desirability of—

(*i*) remitting rent and *salamis* for undeveloped lands or staying collection till they become fit for cultivation;

(*ii*) stopping the practice of settling undeveloped lands which are not fit for cultivation; and

(*iii*) suspending collection of rent till the economic condition of the country improves?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) Yes to some extent, owing partly to a fall in price of agricultural products and partly to want of cash. The collections, however, are showing signs of improvement this year.

(*b*) Most of them are purely agriculturists and have been more or less adversely affected by the fall in prices.

(*c*) No, as under the system of assessment prevailing in *khas mahals* in Bengal the value of produce is not the determining factor. The average rate of rent in *khas mahals* in the district of Noakhali is Rs. 3-2 per acre as against the average rate of rent of Rs. 4-4-5 per acre, for occupancy *raiyats* for the whole of the district. Apart from other reasons the rate of rent in Noakhali *khas mahals* represents 1/24th of the value of gross produce in normal times and about 1/12th even on the present diminished value of agricultural produce.

(*d*) (*i*) No. It is reported that the average enhancement is about 25 per cent. and that the enhanced rents are still lower than those in permanently-settled estates.

(*ii*) Some of the poorer tenants are finding difficulty in making payments on account of low prices. In the case of the poorer tenants certificates are not being issued. In the case of richer tenants who are able to pay but are not paying, certificates are being filed with discrimination. On the whole a fair amount of rent is being collected amicably.

(*e*) There is no distress as regards food; on the other hand price of rice is low. There is no general distress which calls for special measures. Loans and gratuitous relief were granted in *khas mahal* in Hatiya police-station last September, and the Collector is going to make proposals for remission of rent in certain areas where crops have failed.

(*f*) Undeveloped lands are not settled as a rule. It was brought to the notice of the Collector that certain lands which had not yet been fully developed had been settled with tenants. Those tenants were given the option of surrendering the lands and taking refund of *salami* or of keeping the lands on a progressive rent starting at 6 annas 3 pies per acre. Hitherto none have surrendered. In another case realisation of rent and *salami* has been suspended pending inquiry. In case of new settlements *salami* is being realised by instalments and arrear rent is not charged. Certificates have been filed in the case of certain tenancies which were in arrear for 1337 B.S. or earlier. In some cases Government purchased holdings for less than a rupee.

(*g*) (*i*) and (*ii*) A statement is laid on the table.

(*h*) (*i*) and (*ii*) Suitable action is being taken by the Collector where necessary. [*Vide* answer to (*f*).]

(*iii*) No.

Statement referred to in the reply to starred question No. 63 (g) (i) and (ii), showing the sale of holdings from 1929-30 up to the 31st January, 1933.

Year.	Total number of holdings sold.	Number purchased by Government.	Number purchased by private persons.
1	2	3	4
1929-30 ..	67	31	36
1930-31 ..	106	51	55
1931-32 ..	211	141	70
1932-33 ..	474	379	95

Khan Bahadur MUHAMMAD ABDUL MOMIN: Will the Hon'ble Member be pleased to state whether or not the enhancement of rent at the present time of economic depression will operate harshly on the tenants?

The Hon'ble Sir PROVASH CHUNDER MITTER: If the hon'ble member refers to the present minor settlements the answer does not refer to that because that is still going on.

Khan Bahadur MUHAMMAD ABDUL MOMIN: My question refers to the settlement of *khas mahal* lands in Noakhali.

The Hon'ble Sir PROVASH CHUNDER MITTER: Past or present?

Khan Bahadur MUHAMMAD ABDUL MOMIN: Present.

The Hon'ble Sir PROVASH CHUNDER MITTER: This answer has no reference to that. It refers to past.

Maulvi TAMIZUDDIN KHAN: With reference to answer (*d*) (*i*), will the Hon'ble Member be pleased to state when is it proposed to give effect to the proposed enhancement?

The Hon'ble Sir PROVASH CHUNDER MITTER: So far as I understand this enhancement took place long ago. So far as operations that are now going on, before rents are confirmed we shall look into the matter; but so far as settlements done in the past are concerned I cannot tell, in detail without further notice.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state as to whether Government contemplates a policy of not advancing any rent in *khas mahal* at least till the economic distress is over?

The Hon'ble Sir PROVASH CHUNDER MITTER: No, the reason is this: The settlement in *khas mahal* is for a period of 30 or 15 years as the case may be and there is no reason for not enhancing because of the present distress. As I have previously explained there may be a reason for temporary remission or suspension. On the other hand owing to these rents being settled when prices are low the agriculturists may gain to some extent under section 30. It is very difficult to go into details in answer to a question.

Khan Bahadur Maulvi AZIZUL HAQUE: In that view whether it is not a fact that any enhancement will cause great hardship at present?

The Hon'ble Sir PROVASH CHUNDER MITTER: I am not prepared to admit that as a general proposition. There may be special cases in which relief may be given.

Khan Bahadur Maulvi AZIZUL HAQUE: What does the Hon'ble Member contemplate to do in order to obviate the difficulty where he thinks that hardship will be caused?

The Hon'ble Sir PROVASH CHUNDER MITTER: The settlement officer and the Board of Revenue will in the first instance look into any particular case.

Khan Bahadur Maulvi AZIZUL HAQUE: Is it not a disastrous example of Government as landlords?

The Hon'ble Sir PROVASH CHUNDER MITTER: It is not a bad example, because rent is much lower than that in the permanently settled areas and enhancement is not high even if present low prices be taken into consideration.

Khan Bahadur MUHAMMAD ABDUL MOMIN: With reference to answer (*c*) is it a fact that the quality of land in *khas mahal* is the same as in the permanently settled areas?

The Hon'ble Sir PROVASH CHUNDER MITTER: I should like to have notice.

Recruitment of assistant surgeons.

*64. **Babu PROFULLA KUMAR GUHA:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing for the year 1932—

(*i*) the number of assistant surgeons appointed;

(*ii*) the number of applications received by Government;

(*iii*) the qualifications of each recruit;

(*iv*) how many of those selected were—

(*1*) regular students; and

(*2*) scholarship holders and prize winners;

(*v*) how many of the candidates were—

(*1*) regular students; and

(*2*) scholarship holders and prize winners; and

(*vi*) the number of recruits who passed the usual age-limit?

(*b*) Is it a fact that previously selection of candidates was made upon their academic career as well as post-graduate training in the hospital?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state what special reasons led the Government to appoint persons who were over-aged and with irregular careers?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) A statement is laid on the table.

(*b*) These were among the factors taken into consideration.

(*c*) Government accepted the recommendation of the Selection Committee. The special claims of the candidates were strong and they were considered unusually suitable.

Statement referred to in the reply to starred question No. 64 (a).

(*a*) (*i*) Number of assistant surgeons appointed—16.

(*ii*) Number of applications received by Government—415.

(*iii*) Qualifications of each recruit—They were all M.B.'s of Calcutta University.

(*iv*) (*1*) Regular students—11.

(*2*) Scholarship holders and prize winners—11 scholarship holders and 5 prize winners.

(*v*) (*1*) Regular students—Information is not available.

(*2*) Scholarship holders and prize winners—Information is not available.

(*vi*) Number of recruits who passed the usual age-limit—2.

Mr. P. N. GUHA: Will the Hon'ble Minister be pleased to state the reason which leads them to appoint recruits who have passed the age-limit?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I refer the hon'ble member to answer (*c*).

UNSTARRED QUESTIONS

(answers to which were laid on the table)

New edition of the Bengal Code.

52. Maulvi ABDUL HAKIM: Will the Hon'ble Member in charge of the Legislative Department be pleased to state whether it is in contemplation to bring out a new edition of the Bengal Code in view of the fact that numerous Acts have been passed since the current edition was published?

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): Owing to the financial stringency Government do not contemplate bringing out a new edition of the Bengal Code at present.

Posts of Audit Inspector under the Calcutta Port Commissioners.

53. Mr. SYAMAPROSAD MOOKERJEE: (*a*) Will the Hon'ble Member in charge of the Marine Department be pleased to state whether it is a fact that in 1932 the Calcutta Port Commissioners issued a notification inviting applications for two posts of Audit Inspector?

(*b*) What was the notified scale of salary for the said posts, and prior to the recruitment in 1932, what was the grade of salary for the said appointments?

The Hon'ble Mr. J. A. WOODHEAD: (*a*) Yes.

(*b*) The scale of pay of the posts was Rs. 150—15—210/240—20—320/360—30—450, but it was notified that selected candidates would start on Rs. 240 per mensem against that scale. The Commissioners at their 2059th meeting held on the 10th April, 1931, decided that for new entrants the pay of Inspector of Accounts should be altered from Rs. 150—15—180/250—25—350/400—40—600 to Rs. 150—15—210/240—20—320/360—30—450.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state whether he is aware that the Calcutta Port Commissioners do not pay anything towards meeting the charges for audit?

The Hon'ble Mr. J. A. WOODHEAD: The Port Commissioners do not meet the cost of audit.

Khan Bahadur Maulvi AZIZUL HAQUE: Are the Government contemplating charging audit fees upon these local bodies?

The Hon'ble Mr. J. A. WOODHEAD: I refer the hon'ble member to the reply to question No. 61 (starred).

Movement to stop payment of rent, etc., in Noakhali.

54. **Maulvi MUHAMMAD FAZLULLAH:** (*a*) Is the Hon'ble Member in charge of the Political Department aware of a movement which has been going on from December, 1931, in the district of Noakhali to stop payment of rent, taxes and moneylenders' dues?

(*b*) Is it a fact that several representations to the above effect have been submitted to the Government by the Landholders' Association and several moneylenders and landholders individually?

(*c*) If the answers to (*a*) and (*b*) are in the affirmative, what steps have the Government taken or do they propose taking in the matter?

(*d*) Will the Hon'ble Member be pleased to state the result of inquiry, if any, made on the above representations in the meantime?

(*e*) Will the Hon'ble Member be pleased to state the reasons for the military march throughout the district?

(*f*) At whose instance are these marches arranged?

(*g*) Is the Hon'ble Member aware that civil disobedience movement is no longer in vogue in this district?

(*h*) If the answer to (*g*) is in the affirmative, why have military route marches been arranged in this district?

(i) If the answer to (h) is in the negative, will the Hon'ble Member be pleased to state—

(i) whether, and if so, when, there was ever civil disobedience movement present in the district; and

(ii) why no military marches in the district were arranged then?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (a) and (d) Government's information is that there has been no such general movement as the question implies in Noakhali district, though the leaders of some *krishak samitis* have made inflammatory speeches tending to disturb the relations between landlords and tenants, creditors and debtors.

(b) Yes.

(c) Suitable action has been taken under the law where it was called for, and the local officers are carefully watching the situation.

(e) and (h) Route marches by troops are part of their ordinary training and are intended also to promote confidence in the resources of Government for the maintenance of the public security.

(f) By the military authorities in consultation with the local officers.

(g) Outward manifestations of civil disobedience are now negligible in Noakhali.

(i) (i) Yes.

(ii) Troops were not available.

Observance of local holidays in the Political Department.

55. Maulvi NURAL ABSAR CHOUDHURY: (a) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that the local holidays that are granted to all employees, irrespective of caste and creed, in all departments including the Finance Department, are not granted to Muslim employees of the Political Department?

(b) Will the Hon'ble Member be pleased to state whether it is a fact that the local holidays have been granted since May, 1915?

(c) If the answer to (b) is in the affirmative, will the Hon'ble Member be pleased to state the reason of such differential treatment in the Political Department?

(d) Is the Hon'ble Member considering the desirability of stopping such differential treatment?

The Hon'ble Mr. W. D. R. PRENTICE: (a) and (c) Local holidays are allowed only when the state of work permits. Owing to an

abnormal increase of work in the Political Department it has not been found possible to grant the concession to employees other than those who wished to observe the holidays on religious grounds. This restriction has applied to Hindu assistants as well as Muhammadan, and is not confined to the Political Department.

(*b*) Yes.

(*d*) Does not arise.

Ahsanullah School of Engineering, Dacca.

56. Rai Sahib REBATI MOHAN SARKER: Will the Hon'ble Minister in charge of the Education Department be pleased to state what action he proposes to take on the application submitted to him on 26th July, 1932, by the head and senior *mistries* of the Workshop Department of the Ahsanullah School of Engineering, Dacca, when the Hon'ble Minister went on a visit to the said school?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Government do not propose to take any action at present.

Arrangement for teaching Arabic, Persian or Urdu for Muslim girls in high English and middle English schools.

57. Maulvi MUHAMMAD FAZLULLAH: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether arrangements for teaching Arabic, Persian or Urdu to Muslim girls have been made in any high English or middle English schools for girls besides the Khastagir's Girls' School at Chittagong? If not, why not?

(*b*) Will the Hon'ble Minister be pleased to state whether any representation from the guardians of the Muslim girls in the Dacca Eden High English School has been received for provision being made for the education of their wards in Arabic, Persian or Urdu?

(*c*) If the answer to (*b*) is in the affirmative, what arrangement has been made to comply with the said representation?

(*d*) Does the Hon'ble Minister realise that the want of provision for the education of Muslim girls in high English and middle English schools in Arabic, Persian and Urdu is adversely affecting the Islamic cultural attainments of these girls?

(*e*) Will the Hon'ble Minister be pleased to state whether a daughter of Maulvi Abdul Gofran, B.L., Public Prosecutor and Chairman, district board, Noakhali, had to take Sanskrit for want of arrangement in the Eden Girls' High English School at Dacca for the teaching of Arabic, Persian and Urdu?

(*f*) Was any representation made by this girl's father Maulvi Abdul Gofran to the head mistress of the school, the Director of Public Instruction or the Government against the unsatisfactory arrangements in the school?

(*g*) If the answer to (*f*) is in the affirmative, what action, if any, has been taken in the matter?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) Yes: in the Sakhawat Memorial Girls' High English School in Calcutta.

(*b*) Yes.

(*c*) and (*d*) Provision has been made in the budget for 1933-34 for the appointment of teachers of Arabic, Persian and Urdu in the Eden and two other Girls' High Schools.

(*e*) and (*f*) Yes.

(*g*) *Vide* answer to (*c*) and (*d*).

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to state whether the study of Sanskrit causes great hardship to Muhammadan students.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: It is a hardship if they want to read Arabic or Persian but cannot get it and are forced to take Sanskrit instead. If they take it voluntarily it is no hardship.

Maulvi TAMIZUDDIN KHAN: Is the Sakhawat Memorial Girls' School the only school where provision for teaching Arabic and Persian is required?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I would draw the attention of the hon'ble member to answer (*c*) and (*d*).

Maulvi TAMIZUDDIN KHAN: Will the Hon'ble Minister be pleased to state the names of the two other girls' high schools where Persian and Arabic are proposed to be taught?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The Mymensingh and the Comilla Government High Schools.

DEMAND FOR GRANT.

9—Registration.

Mr. NARENDRA KUMAR BASU: On a point of order, Sir. There are some identical motions and there is one in my name.

Mr. PRESIDENT: You may then speak on this motion.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Would it not be better to have them moved all together so that I may make one reply?

Mr. PRESIDENT: It may not be necessary to move them all. If a decision is taken in regard to one of these motions the rest need not be moved at all. So I propose to follow the normal course in the present case.

Mr. P. BANERJI: Sir, last night while I was supporting the motion moved by Rai Bahadur Satyendra Kumar Das, I put forward the argument that this motion was a very reasonable one and in support of that argument I referred to page 25 of the Retrenchment Committee's report where it was definitely recommended that the two posts might be amalgamated without in any way impairing the efficiency of the administration. My hon'ble friend Nawab Musharruf Hosain spoke from his experience as Minister that it was not possible to amalgamate the two posts unless they were run by a member of the Indian Civil Service. I am not disposed to decry the Indian Civil Service people who, I think, are most efficient and the best public servants. But there was no question that an I.C.S. should not be placed in charge of the amalgamated department. As a matter of fact an Indian Civil Service man is now Commissioner of Excise. However, be that as it may, the point is that the two posts can be amalgamated. It is the opinion of the Retrenchment Committee and at the same time it can be argued that even the Commissioner of Excise after the creation of the Licensing Board has not much work to do. In fact he is a member of the Advisory Body and the Collector of Excise practically does all the work. Then, again, the Inspector-General of Registration has also not much work to do as is proved by the fact that the predecessor of the present Inspector-General of Registration was a Member of the Council of State and used to spend most of his time at Delhi and Simla. The work used to be carried on by his Personal Assistant. So, Sir, these two posts can be amalgamated as has been pointed out by the Retrenchment Committee and the two Personal Assistants can carry on the work of the two departments under one officer.

Last year, while moving a cut Mr. J. N. Gupta, a retired member of the Indian Civil Service, with his personal knowledge of administration, also recommended this amalgamation. This year we find the names of so many distinguished members in the list recommending this amalgamation and have sent identical cuts. This shows the public feeling and the Ministers should rise to the height of the occasion and accept our proposal.

Mr. ANANDA MOHAN PODDAR: I rise to support the motion. The Retrenchment Committee of 1922 recommended that the post of the

Inspector-General of Registration should be abolished and that the department should be placed under the Commissioner of Excise. The last Retrenchment Committee as well reiterated the same recommendations. But in spite of the acute financial stringency the Government of Bengal are not in a mood to give effect to those recommendations. I cannot make out any cogent reason for this attitude of the Government. The way in which the Government is turning down the recommendations of the Retrenchment Committee and the cut motions of the members of this House makes us very sceptic about the intention of the Government whether they are at all serious in reducing the expenditure. No reason was assigned for rejecting the recommendation of the Mookerjee Committee on this head and we do not know what are the reasons for turning down the recommendations of the Swan Committee also. The only argument that may be put forward is that of endangering the efficiency. But that is only a blunt and stereotyped argument. The Retrenchment Committees one after another entered into the question very carefully and after very careful consideration they held that these two posts can be safely amalgamated without retarding the efficiency of any of the departments. We are sorry that the Government differ with the Retrenchment Committees on this point as they differ in all other more or less important points. My submission is this that in view of the strong public opinion the Government should accept this proposal even as an experiment and examine for some time how the arrangement works.

MUNINDRA DEB RAI MAHASAI: Sir, I beg to support the motion of my friend Rai Satyendra Kumar Das Bahadur. The Retrenchment Committee presided over by Sir Rajendra Nath Mookerjee and the recent Retrenchment Committee have both made out a good case for the abolition of the post of Inspector-General of Registration. Both of them recommended that the Registration Department should be placed under the control of the Commissioner of Excise. Both the committees were of opinion that the amount of work did not justify the employment of two officers. They considered a statement put in by the Inspector-General of Registration showing the duties which he has to discharge and after due consideration they held that either the nature or the quantity of the work did not justify the retention of the post. Most of the work is of a routine character. Although the inspection of district sub-registrars' offices are part of his duties, they were not satisfied that there is any advantage in having them inspected annually both by the Inspector-General and by the Inspector of Registration Offices. It is said that the Inspector-General directs his attention mainly to administrative questions and the Inspector mainly to audit. The Inspector devotes on an average seven days to the inspection of each district office and the Committee considered that he should be able in this time to investigate its working fully from both aspects.

My hon'ble friend Nawab Musharruf Hosain, who held charge of the department as Minister some years ago has tried to defend the retention of the post of Inspector-General of Registration by enumerating the onerous character of the duties imposed on him. The duties may be onerous but I think there is no justification in holding that those duties cannot be performed by any other officer in addition to his own duties, if he has got the time and the ability to do so. The Swan Committee repeated the recommendation of the Mookerjee Committee and held that the post of the Inspector-General of Registration should be abolished and that his duties should be handed over to the Commissioner of Excise who will be assisted by the personal assistant to the Inspector-General and by the Inspector of Registration Offices. The recommendation of the Mookerjee Committee was rejected without any reason being assigned. I hope the recommendation of the Swan Committee will receive better consideration. With these few words I support the motion.

Mr. NARENDRA KUMAR BASU: I beg to support the motion, and I do so on the grounds that have been more or less stated by previous speakers. It is common ground that both the Retrenchment Committees that have sat in Bengal have unanimously recommended the amalgamation of these two departments, and in the list furnished to us regarding the retrenchments accepted by Government we note that this has not been accepted, and no reason has been given. In fact, with regard to the Registration Department, the only recommendation that has been accepted is the one that the office itself suggested, it is a departmental suggestion that has been accepted, but the other suggestions of the Retrenchment Committee which would have saved a sum of over Rs. 6 lakhs to Government have been given the go-by. I do not know what the reasons of the Government are for not accepting the unanimous recommendations of two Retrenchment Committees consisting of official and non-official members regarding this matter. Certain reasons were advanced by Nawab Musharruf Hosain last night, and one of them was that if we were to abolish the post of Inspector-General of Registration, the work will have to be carried on by the personal assistant who is a sort of glorified clerk more or less and who would not be able to carry on the duties of the Inspector-General. To that, my answer is that it does not matter what post a personal assistant holds, whether that of an ordinary clerk or a superior glorified clerk, but it seems to be a question rather to whom he is related in the department, because we see that personal assistants of other departments who are related to high officials can very well carry on the duties when that gentleman goes away on leave, or on tour. Therefore, Sir, the question of the personal assistant carrying on the duties is not a difficult one. Personal assistants if related to Ministers or Members of Council or *ex*-Members, they are certainly able to carry on the duties when their chiefs go on leave, either short or long leave; so there is absolutely no

reason why a personal assistant because he is a personal assistant would not be able to carry on the routine duties of the Inspector-General. Moreover, the inspection of registration offices is generally done by the Inspector of Registration Offices, and the Inspector-General is only there to see that the department is properly managed. Now that we have a member of the I.C.S. as Commissioner of Excise—it is within the knowledge of all of us that members of this service are up to anything from governing an Empire to looking to the drains of a *mufassal* town, they can do any odd jobs they are put to, and I must say I do admire the versatility of the service—I can see no reason why a member of the Indian Civil Service who is acting as Commissioner of Excise, will not be able to look after the registration offices as well. It is said that an Excise Superintendent may become Commissioner of Excise in course of time, and therefore the Excise Superintendent will not be able to keep the office of the Inspector-General of Registration in check. My answer to that is that it does not matter to which service an Excise Superintendent belongs, if he is a good officer and sturdy enough to become the Commissioner of Excise, even though he does not belong to the Indian Civil Service, it may be possible for him to carry on the duties of the Inspector-General of Registration, and as a matter of fact it has not yet been proved that an Excise Superintendent who is fit to be Commissioner of Excise is not fit to carry out the duties of the Inspector-General. So that it comes to this that what we have to look to is that we should have an officer who can effectively control the two offices after amalgamation, and if after amalgamation it is seen that this is not conducive to the good working of the two departments, then nothing will be easier than for the Government to separate the two offices again. In these days of financial stress, it is up to the Government to try and save money in whatever way and wherever possible, and I submit that it is worse than a blunder to give the go-by to the unanimous recommendation of the Retrenchment Committee.

Khan Bahadur MUHAMMAD ABDUL MOMIN: I am afraid I have to oppose this motion, and I do so with the fullest sense of responsibility. I am afraid my friends on the other side do not realise the amount of work which the head of a department like the Registration Department has to perform. The Inspector-General has got about 500 sub-registration offices under him and about the same number of marriage registrars whose posts are gradually becoming more and more important and require more supervision and control than they used to in former days. The Inspector-General has got to deal with all the district registrars, about 26 in this province, he has to deal with a large amount of official correspondence which alone is a fairly heavy task for one man. Besides the usual correspondence on executive matters, he gets many references of a quasi-official nature which require careful attention and consideration not only by him personally but also by reference to other

departments. I have been in the past in close touch with the Secretariat and often with the office of the Inspector-General, and I can say with some degree of authority, that this post is not a light one. Mr. Basu has said that because the Excise Commissioner is an Indian Civil Service officer, therefore it is expected that he will be able to do double duty and control both the departments. After all, even a member of the Indian Civil Service is human and cannot be expected to do the work of two men. I do not know whether the Excise Commissioner is fully employed, or has got time to spare. If the latter be the case, some other department may be tacked on to the Excise Department, but certainly not the Registration Department which requires control over a very large number of offices and men. As it is, the correspondence in that department is very dilatory because so many references are received from the *mufassal* and have to be disposed of. It is not only the inspection of registration offices which is the work of the Inspector-General. Formerly we had 4 Inspectors of Registration Offices; now we have got only one, and you cannot expect that one Inspector will be able to inspect all the offices in the province including the offices of the marriage registrars. The personal assistant to the Inspector-General is a comparatively junior officer who only carries on routine duties, and it is not possible for him, if the Inspector-General's direct control is removed, to carry on the work efficiently. Of course the work will go on somehow, whether you put the department in charge of one man or four men. There is a world of difference between carrying on the work and doing so efficiently. It will be a retrograde policy and it will really interfere with the efficiency of the work if the post of the Inspector-General of Registration is abolished or tacked on to any other office. There may be a good case perhaps for the Commissioner of Excise to be made a half-time officer but certainly the post of Inspector-General of Registration cannot be abolished.

Dr. NARESH CHANDRA SEN GUPTA: I am afraid I am not quite sure if I can support the precise recommendation which has been the subject matter of this discussion, but there is no doubt that there is some flaw somewhere. Two Retrenchment Committees have found, and their findings I think amount to this that, there is not enough work in the Excise and Registration Departments to maintain two full-time heads for the two departments. That is the proposition with which I will start. There is nothing before us to contradict that opinion. Now, I am afraid the Retrenchment Committee has been rather let down in some way. In dealing with the Excise Department they say that the Commissioner of Excise cannot be dispensed with. He must be there. Also one of the Deputy Commissioners of Excise cannot be dispensed with, in particular because the Committee was recommending that the Commissionership of Excise should be combined with the post of Inspector-General of Registration. This is

what they say "we do not recommend any reduction in the number, specially in view of our subsequent recommendation that the charge of the Registration Department should be made over to the Commissioner of Excise." Therefore one of the potent reasons for recommending the retention of the two posts of Deputy Commissioner of Excise is that the charge of the Inspector-General of Registration is coming into the hands of the Commissioner of Excise. If that is so, supposing the combination suggested is unsuitable, supposing the duties of these two offices cannot be combined in the same person, there should be some other method of dealing with it. One of the methods would obviously be to abolish one of the Deputy Commissionerships of Excise. I might point out that the Retrenchment Committee in another passage say "we therefore repeat the recommendation of the previous Committee that the post of the Inspector-General of Registration should be abolished and his duties should be handed over to the Commissioner of Excise, who will be assisted by the personal assistant to the Inspector-General or by the Inspector of Registration Offices." It has been suggested that the duties of the Inspector-General are too onerous to admit of his taking up the duties of the Commissioner of Excise. It may be so, it may be that the duties of the Inspector-General were sufficiently onerous to occupy the whole time of an officer in the past, notwithstanding the fact the Retrenchment Committee of 1921 recommended that the post should be tacked on to that of the Commissioner of Excise. But since then what has happened? The work of the Inspector-General has been considerably reduced on account of the very much reduced volume of work done in the registration offices. The number of registration offices has been reduced—I believe Khan Bahadur Momin knows that, and inspection of registration offices has been reduced accordingly; so naturally the work of the Inspector-General who has got to supervise the whole work must have been reduced: it is plain mathematics. It is not always that two and two make four with some people but that is commonsense. You have also got to consider the patent fact that the income from registration offices has come down from Rs. 36 lakhs to Rs. 18 lakhs.

Maulvi SYED MAJID BAKSH: Two and two always do not make four in view of the law of relativity.

Dr. NARESH CHANDRA SEN GUPTA: But two and two do make four in this terrestrial globe. We are not approaching either infinity or eternity. I am not sure whether we are approaching eternity at this rate.

Having regard to all this a clear case has been made out for reduction either in the Excise or in the Registration Department. If the Government is not prepared to say that the post of Inspector-General should be abolished or tacked on to the Excise Department,

they must find some other means for making the necessary changes. There is a surplus and it has got to be got rid of until better times come and I would like to hear what the Hon'ble Minister has got to say on how he would deal with the surplus.

Mr. P. N. GUHA: Mr. President, Sir, I am afraid I cannot support the motion as it stands. I shall therefore make some general observations only in connection with the duties of the Inspector-General of Registration. I am unable to support my friend Khan Bahadur Abdul Momin in his theory that the work of the Inspector-General of Registration is so heavy that the post cannot be amalgamated with another. On the contrary I hold that the duties of the post are so light that it can safely be amalgamated with another, though not necessarily with that of the Commissioner of Excise. The Khan Bahadur has said that the number of the registration offices including those of the marriage registrars has enormously increased and the volume of work in these offices is huge. The Khan Bahadur came in close touch with the work of the Registration Department in the districts and in the Secretariat and an experienced officer of his standing should have realised that the volume of work in the registration offices in the districts does not necessarily give more work to the Inspector-General, who has nothing to do with the registration of documents. His main duty is to manage the department which after all is not a very big one.

Sir, it may be news to many but it is a fact nevertheless that I began my life as a rural sub-registrar about 42 years ago but after working only for about 18 months changed it for journalism at the instance of my *guru*, the late Aswini Kumar Datta, of revered memory. Sir, in my time Mr. Holmwood was the Inspector-General of Registration and when his time was up the Government of Bengal found that the duties of the post were not heavy and important enough for a wholetime officer of the Indian Civil Service, and a decision was taken to give the post as a sort of reward to senior Deputy Magistrates. Khan Bahadur Delwar Hossain Ahmad was the first recruit and since then such distinguished members of the Provincial Executive Service as Mr. T. K. Ghose, Nawab Syed Mahmood, Mr. P. N. Mukherjee, Khan Bahadur Aminul Islam and Mr. J. N. Roy were appointed to the post. Sir, having worked in the different branches of the Barisal Registry Office I have had opportunities of acquiring a first-hand knowledge of the working of the department. I do not know if things have considerably changed, but in my time the district and rural registry offices had very little to do with the Inspector-General, District Magistrates who were then *ex-officio* district registrars were mainly responsible for the work of the department in the districts and it was on rare occasions that questions were referred to the

Inspector-General. It is from that standpoint that I take it that the Inspector-General has very little to do. Documents for registration may increase by lakhs but that will not add any burden on the shoulders of the head of the department. His business is to manage the small department and I hold that there is not enough work to keep him fully engaged.

Sir, my friend Mr. P. Banerji has referred to the fact that Khan Bahadur Aminul Islam who worked as the Inspector-General of Registration was the representative of the Government of Bengal in the Council of State and as such he used to spend a lot of time at Delhi and Simla. This could not be the case if the duties of his post were heavy. Sir, I do not think any great harm will be done if the post is abolished altogether and the Divisional Commissioners and District Collectors are entrusted with its duties or the whole thing may safely be left in the hands of my friend Mr. Nazimuddin or Nawab Faroqui. Something else occurs to me. The department is under the control of the Education Minister who has got a superfluous officer, I mean the Director of Public Instruction. There is a Secretary to the department and the Hon'ble Minister is there, so the post and office of the Director of Public Instruction can safely be amalgamated with the post and office of the Inspector-General of Registration.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I am afraid there is a great deal of misunderstanding about this question. To begin with, most of the members are under the impression that Government have rejected the proposals of the Retrenchment Committee. The mere fact that Government have announced that some of the recommendations of the Retrenchment Committee have been accepted does not necessarily mean that the others have been rejected. There are others—a large number of them—which are still under consideration. Therefore the assumption on the part of the members that the mere fact that they have not been put down as having been accepted means that they have been rejected—I am afraid that assumption is entirely wrong, particularly in this case. The question is still under consideration and Government fully realise the arguments for and against the recommendations of the Retrenchment Committee. I have got to oppose the motion because a demand has been made and until Government comes to a decision that demand must be defended, and in defending this demand I should like to place before the House the arguments that are in favour of the retention of the Inspector-General of Registration with independent capacity as head of the Registration Department.

Another confusion that has arisen in the minds of the members is due to the fact that the Mookerjee Committee made a recommendation for the amalgamation of the two posts. It appears that most of the

members have not either gone through the resolution of Government upon that recommendation, or they do not know what action was taken by Government on that recommendation. As Nawab Musharruf Hosain pointed out yesterday, Government took very drastic steps on the recommendations of the Mookerjee Committee and they drastically curtailed the expenditure of the department. Although they did not accept the recommendation of that Committee regarding the amalgamation of the post of Inspector-General of Registration with that of the Excise Commissioner, they retrenched most of the important posts in that department. One of those which the Nawab Sahib mentioned yesterday was the post of the personal assistant, which in those days was held by a Provincial Civil Service man drawing a salary of Rs. 500 to 600 a month. It was changed from a Provincial Civil Service post to that of a junior sub-registrar drawing Rs. 150 or Rs. 200. Then, Sir, there were five Inspectors of Registration Offices drawing Rs. 300 to Rs. 400. Out of those five, four were retrenched and only one was left for inspecting the work of the entire province—400 sub-registry offices, 300-350 marriage registration offices and some birth and marriage registration offices for Christians. Therefore it will be seen that Government took adequate action on the report of the Mookerjee Committee and accepted what they considered to be a more suitable arrangement, namely, retrenchment of some of the important posts in the Registration Department, and rejected the recommendation regarding the amalgamation of the two posts of Inspector-General of Registration and Excise Commissioner. Then, Sir, in this House two most responsible and experienced gentlemen who have had the advantage of knowing things from inside have told us that they do not consider from their personal experience that the amalgamation of the two posts will be suitable. The Nawab Sahib was a Minister for a long time, and he had the advantage of being in charge of both the Excise and Registration Departments, and he has given his opinion as to what is right and what should be done. Similarly, Khan Bahadur Abdul Momin told us what he knew of the work of the two departments from his close contact with them. On the other hand Mr. P. N. Guha has given us the experience of a junior sub-registrar of pre-historic days when sub-registrars used to get fees and not salary. As against that we have the advantage of the experience of two gentlemen with more recent experience. But apart from that question, there are other points on which it seems extremely inadvisable to accept the rsolution.

First of all Dr. Sen Gupta has argued that the work of the Registration Department has been reduced owing to the fall in the number of registration and the abolition of offices. While I am prepared to accept that there has been a very considerable fall in the number of registration, I am afraid the abolition of the offices has been very

few. The fact about the abolition of offices has struck Dr. Sen Gupta, I believe, rather forcibly, because one of the officers has been retrenched in his place and it has been found that wherever we went to abolish offices public opinion is strongly against it. One of the points I would like the House to consider, is that these offices are being run by Government not for the sake of revenue but Government have a duty imposed upon them, a legal duty I should say, to provide adequate facilities to the people. We have at present something like 400 registry offices, and when better time comes I think it will be the first duty of Government to increase the number of sub-registry offices which cannot remain at 400. Even now there are sub-registry offices 30 or 40 miles apart from one another, and it is extremely unfair to the poor people to ask them to travel a long distance in order to perform a legal obligation imposed on them by the State. Therefore it is not right to consider that the post of Inspector-General of Registration should be amalgamated with another post, because there has been a certain reduction in the number of registration or a few of the offices have been abolished. Look at the amount of money Government derived from this source and is going to derive in future. Then, again, Sir, while attention has been drawn to the decrease in work, which I am not prepared to accept, one very important factor has been forgotten by most of the speakers and that is that owing to the Bengal Tenancy Act and the imposition of the duty of transferring landlords' fees a very heavy responsibility has been placed on the Inspector-General of Registration and this responsibility is not one of a routine character. Intricate questions of law are involved and important decisions on the various interpretations of the rules and laws have got to be given by the Inspector-General of Registration and this is a responsible post with very responsible duties, and you will find that during the last 10 years the volume of correspondence has increased by about 10,000 and this is largely owing to the new work which has been placed on the Registration Department. Therefore the work is of an intricate and complicated nature and calls for very great responsibility.

Then, Sir, there is another question. We have also got to look to the question of the morale of the Registration Department. This is a point which I think the House should take into their serious consideration. After all these officers are called upon to live in out of the way and remote places; they are called upon to help the administration in various ways—in educating people, in improving the sanitary conditions, in taking part in the local board affairs, and they are also the media through which Government distribute various literatures and other publications. They have also been of great help during the non-co-operation movement and in helping the people in observing law and order. Therefore it is very necessary that the morale of this

service should be maintained and it will be a very great blow if they find that they do not belong to an independent service but are tacked on to something like the Department of Excise. And in this connection I may again point out to the House the forcible argument of the Nawab Sahib, namely, that while it is quite possible for one man to do work in two departments of a similar nature, it is very inconvenient for him if you place on his shoulder work which is absolutely dissimilar to the work which he is performing and it will be very difficult for him to manage the work.

Then Mr. Narendra Kumar Basu laid great emphasis on the ability of I.C.S. officers for performing very onerous duties and important tasks. The question is not whether an I.C.S. or a Provincial Service man can do the work of the Inspector-General of Registration. The point is whether he has got the time or leisure to devote to the Registration Department after he has finished his other work.

There may be something in the argument advanced by Dr. Sen Gupta that there may be possibilities for retrenchment. That is a question quite apart from the present motion. What we have got to look at as regards this motion is whether actually this department can do without a separate head. Then, Sir, it may not be absolutely quite true, but I think the very fact that in other provinces the post of Inspector-General of Registration is combined with other posts may have had some influence on the Retrenchment Committee to make this recommendation, but I would like to point out that the conditions in other provinces and here are absolutely different. While in the other provinces the work of the Inspector-General of Registration is very light and the number of registration offices very few, for instance, in Bombay 200, and United Provinces 250, the number of offices in Bengal is over 400, and what is more, in those provinces there are no such things as marriage registrars or marriage registration offices. This is entirely a new work in Bengal. The only other province where the number of registration offices is something like that in Bengal is Madras which has about 400, and there you will find that the Inspector-General of Registration is in independent charge of the Registration Department and his post has not been combined with any other post. It shows that so far as the volume of work is concerned there is another province which has recognised the necessity for keeping the office separate and that province has got almost the same number of offices as Bengal. So I say that no comparison can be made with other provinces because the work done in these provinces is much less. I therefore would request the mover of this resolution to withdraw his motion as in my opinion it is rather premature. Government have not yet come to a final decision. The arguments are there both in favour of and against the proposal and I think it will be found that the balance is in favour of maintaining this department with a separate

head. (Mr. N. K. BASU: Is the Minister giving his final opinion?) This question will be decided by the Government as a whole. I am simply putting here both sides of the question, which will be finally decided by Government. As far as this grant is concerned, a demand has been made and it is the duty of the Minister to defend it. Therefore I maintain that this demand should be sanctioned and there should be no cut.

The motion of Rai Satyendra Kumar Das Bahadur was then, by leave of the Council, withdrawn.

Maulvi HASSAN ALI: Sir, I beg to move that the demand of Rs. 8,30,250 under the head "9B—District charges—Pay of officers" be reduced by Rs. 100 (to criticise the procedures of sub-registrars in respect of taking deposit of landlords' fees, transmission cost, etc., at the time of registration of sale deeds of holdings).

Sir, by this motion I want to draw attention of the department to the necessity of making specific rules for directing the sub-registrars to take the deposit of landlords' fees in the name of the person who actually pays them. Section 26C of Bengal Tenancy Act, which is relevant to this matter, does not say in whose name, whether in the vendee's name or the vendor's name, the deposit should be entered in the record. It simply says that the registering officer shall not register any document of sale unless the document is accompanied by landlord's fee and notice, etc., and so the sub-registrars generally take the deposit in the name of the vendors, though the landlords' fees are paid actually by the purchaser. If it is so, Sir, the anomaly arises when an occasion arises for the purchaser to withdraw the money. An illustration will clear the point. Two brothers jointly sell their holding to a purchaser, the sub-registrar takes the deposits of the landlords' fees before registration in the name of the two brothers. But afterwards the sub-registrar finds that one of the brothers is a minor in respect of whom the registration is refused and with respect to the major brother only the registration is done. But the whole money is sent to the Collector for transmission to landlord. In such a case the title to the land sold passes to the purchaser only to the extent of the executant's share in whose respect the sale deed is registered. The purchaser is, therefore, entitled to refund of the minor vendor's share of landlord's fee. So, when he applies to the collectorate for refund he is refused on the ground that the money stands not in his name.

If rules are made to the effect that the registering officers should make the entry of the landlord's fee deposit in the name of the actual payer, whoever he may be, either the vendor or the vendee, these anomalies will not occur and the unused deposit money may be refunded to the actual depositor without any difficulty.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, this is an extreme case which the hon'ble mover has brought before this House. It appears to me that the obvious duty of the purchaser is to find out before he deposits the landlord's fee whether the vendors are majors or not. It appears to me to be rather extraordinary that a man who is going to pay cash does so without finding out whether the title is right or not and the person who has got the title has the right to transfer it or not. I think it must have been absolutely an exceptional case. No ordinary business man would ever dream of parting with hard cash without knowing whether the vendors are majors or not. I think there may be practical difficulties, but I promise to look into the matter and see whether the change proposed can be made without any difficulty or hardship. Anyway this does not seem to be a good case for making the change. Therefore, I hope the mover will kindly withdraw his motion.

The motion of Maulvi Hassan Ali was then, by leave of the Council, withdrawn.

Maulvi ABDUS SAMAD: I beg to move that the demand of Rs. 8,77,000 under the head "9B—Registration—District charges—Pay of officers" be reduced by Rs. 100 (to criticise the policy in the recruitment of sub-registrars).

Sir, this is a token cut, the object being to criticise the policy followed by the Government in the matter of recruitment of sub-registrars. I have nothing to complain against with regard to the distribution of these appointments among the different communities, because in my opinion the Moslems get a very fair share of these appointments. My criticisms will be chiefly directed against the method of recruitment as also against the policy followed in selecting candidates for these appointments. It is a matter of common knowledge that in making these appointments preference is generally given to candidates belonging to the high and aristocratic families or related to Government servants. I know, Sir, of instances in which claims of candidates belonging to poor and backward classes possessing superior educational qualifications are passed over in favour of less qualified candidates simply on the ground of birth and connection. It seems, Sir, that this service is specially reserved for the scions of the respectable families and relations of Government servants who are found unfit or ineligible for more responsible jobs. I have got with me a copy of the form in which a candidate for the post of a sub-registrar has to apply. In column 7 of the form the candidate has to state his status in society and the services rendered by the members of his family and in column 8 he has to state his special claims for consideration of his application. From this it is evident that candidates lacking in those qualifications but otherwise fully qualified for the post are placed in a very disadvantageous position as against the candidates having those qualifications. Sir, I need hardly say that this policy

of preferential treatment is open to serious objection and is very injuriously affecting the position of the backward classes of the Muslim community, for unlike the backward classes of the Hindu community known as the "depressed class" Hindus the backward classes among the Muslim community who form about 95 per cent. of the total Muslim population in Bengal do not enjoy the privilege of special treatment in the matter of appointment. Why should this be so? Why should not a certain percentage of appointments in all departments reserved for the Muslim community be earmarked for deserving candidates belonging to the backward class of the Muslim community as is done in the case of the depressed class Hindus? Are the Muslim agriculturists, Muslim artisans and Muslim craftsmen more advanced politically, economically and educationally than the Rajbansis and the Namasudras and many other sub-castes of the Hindu community? If not, then why should not the privileges enjoyed by the depressed class Hindus in the matter of appointment and representation in the Councils and local bodies be extended to the backward classes of the Muslim community?

It may be urged, Sir, that Islam is a democratic religion which, like the Hindu religion, does not recognise any caste system and that as such no special privilege is necessary for the protection of the interests of any section of the Muslim community. The proposition is true only in theory. It is true that in the sight of God all Muslims are equal but it is equally true that in the eye of the Muslim society they are not so. The Muslim society is divided into three main classes. The first class is the "Ashraf" or the upper and middle-class *bhadraloks* who form only a microscopic minority and occupy a position analogous to that of the high caste Hindus. The next in order and rank is the "Atraf" who occupy a status somewhat similar to that of the Sudras and they include the agriculturists, the petty tradesmen and others carrying on similar business or profession. And lastly come the "Arzal," *i.e.*, the people of the lowest birth, whose position in the Muhammadan society is no better than that of the untouchables in the Hindu society. They are the Muslim Bediyas, the Muslim Dais, the Muslim *palki* bearers, the Muslim Halalkhores, the Muslim Lallajis, the Abdals and many others "who" to quote Mr. Risley "are forbidden to enter the mosque or to use the public burial ground and with whom no other Muhammadan would associate", not to speak of inter-marrying or inter-dining.

Thus it is clear, Sir, that though the Hindu society is divided into castes the Muslim society is divided into classes, the principle underlying the division is in both communities almost the same with this difference that while a Hindu can never change his caste, however high his position may be, a Muslim of a lower class can, by dint of his merits, wealth and education and culture, acquire a higher status and merge himself in the higher class. I am proud, Sir, of belonging to a faith which

rewards merits and not births and in which birth is regarded as a matter of mere accident and not a permanent disqualification. Now, Sir, turning again to the subject-matter under discussion I must say that the existing practice of recruitment prevailing in the Registration, Police and many other departments is highly objectionable and has seriously affected the spread of English education among the Muslim masses.

I know, Sir, of many young Muslim graduates and under-graduates belonging to the poor and backward classes bitterly complaining of the difficulties and disabilities which stand in the way of their entering public service. They are sitting idle for want of employment and have become a source of trouble to their poor parents and relations. They can neither secure employment nor can they take to the avocation of their forefathers. They are just like a washerman's dog neither serviceable at home nor at the *ghat (dhobika kutta na gharka na ghatka)*. No wonder that the Muslim masses who are naturally very conservative and are therefore averse to English education should be unwilling to send their sons to schools and colleges to receive an education which would not bring them any reward either in this world or, as they believe, in the next world. It is therefore only just and fair that the Government should follow the same principle and policy with regard to the backward classes of both the communities. It should be remembered that special representation and special privileges have been conceded to the depressed class Hindus not because they are called depressed but because they are backward. On the same consideration and on the same ground the backward classes of the Muslim community are also entitled to get all the privileges enjoyed by their colleagues, the depressed class Hindus.

I hope, Sir, that the Hon'ble Minister would accept the recommendation suggested above, inasmuch as its acceptance would tend to serve the very object which is so near and dear to his heart, *viz.*, the spread of education among the illiterate masses of the Muslim community. I also hope that my Muslim friends to my left, who of late are showing most commendable zeal for the uplift of the depressed class Hindus, would give the motion their whole-hearted support. They should remember that charity always begins at home.

With these words, I commend my motion to the acceptance of the House.

Mr. MUKUNDA BEHARY MULLICK: Sir, I beg to move that the demand of Rs. 8,77,000 under the head "9B—Registration—District charges—Pay of officers" be reduced by Rs. 5 (to ask the Government to make proper provision in the shape of definite rules for the appointment of the candidates of the depressed classes in this department as sub-registrars and as clerks in future).

My intention in bringing forward a motion of this nature is sufficiently explicit in the reason I have indicated. You will find, Sir, that in the Provincial Services the Government have made certain rules for the recruitment of qualified candidates of the depressed classes. So far as I know there is hardly any such rule in the Registration Department. The result has been that in many cases the candidates of the depressed classes with very good qualifications are ignored by the nominating authorities. I know of many such instances. In one case, a graduate belonging to the Dhobi community of Barisál was rejected by the District Registrar, on the ground that on account of his birth in a humble community he would not be able to control his office. These are painful instances so far as we are concerned. I raised a detailed discussion over a matter like this in 1930 and in 1931. The Hon'ble Minister in charge of the department was good enough to express his sympathy with the matter. But unless there are certain definite rules laid down for the guidance of the officers concerned, it becomes very difficult for these candidates, who cannot have very strong recommendations, as are commonly understood, to back them up, to have any chance at all. So also is the case with the recruitment of clerks in the various offices of this department. If the circular recently issued by the Government in respect of recruitment of ministerial officers in other departments were adopted by this department also, perhaps the problem might be solved and our difficulties would be lessened considerably, avoiding complaints of this nature every now and then.

With these words, Sir, I commend my motion to the acceptance of the House.

(The Council was then adjourned for 15 minutes for prayer.)

(After adjournment.)

Khan Bahadur Maulvi AZIZUL HAQUE: I have to oppose the motion moved by my friend Maulvi Abdus Samad. He is one of those unique personalities in this House who is always all wrong. His methods are almost akin to those which might be characterised as suiting a place called bedlam and—by the way there was some time back such an asylum at the place from where Mr. Samad comes. He has for the first time discovered that Muhammadans also have got a depressed class.

Maulvi ABDUS SAMAD: I never said depressed class.

Khan Bahadur Maulvi AZIZUL HAQUE: He has used the term "backward class." He wants that this backward class should get some privileges which the depressed class are now enjoying. I have found it rather difficult to find out what substance, if any, there was in his attempt to castigate those people who have attempted to support the depressed classes a few days ago. I know that Maulvi Abdus Samad comes from

the district of Murshidabad; I also know that about 30 years ago a book was published by a gentleman from Murshidabad in which he divided the Moslems into several groups, the Ashraps and the Atrafs and I am wondering if that is still in force anywhere in Bengal except in one renowned pargana of Murshidabad. Except in that small place, nowhere in Bengal are the Muhammadans so divided unless it exists in that ill-fated district of Murshidabad which is a course to the Muhammadans of Bengal. If my friend Maulvi Abdus Samad will go a bit outside his district, he will find that nowhere in Bengal is there any backward class amongst the Muhammadans. I do not know why my friend is so anxious to criticise the policy of the Registration Department, because I know that he himself goes for securing some services or other from Government officials, though I do not see why in these hard days everybody should not try to secure as much as possible for himself. My friend has not put forward any argument to justify that the Registration Department should restrict their recruitment to a particular class. For the last two years there has been no recruitment. It is really a pity that my friend has introduced a resolution of this character. If my friend could have cited an instance where there has been any abuse of power, it would have been open to him to bring it to the notice of Government for redress, but instead of doing that he has taken a step the value of which is practically nil. As a member of the Muhammadan community he has made this unique statement which we have challenged all along, but he takes a particular delight in making it. The Muhammadan community does not place any value on his statement. If my friend Mr. Abdus Samad instead of pursuing this method would devote his energies to some constructive proposal, it would be of more use to his community, but probably he is not now in a sweet temper after his recent experience in district board elections.

Mr. J. N. GUPTA: I rise to take objection to the personal tone in which the Khan Bahadur has just criticised the observations made by my friend Maulvi Abdus Samad. Whether he was justified in bringing before the House—the disadvantages from which the poorer classes of his community are suffering in the matter of appointments in the Registration Department, and whether his complaint is based on facts or not is quite a different matter, but because he has the courage of bringing this matter before the House, I do not think there is any justification for subjecting him to any personal criticisms of the nature which the Khan Bahadur has just made. I think this will set a very bad example which we should all avoid. Whatever may be the value of Mr. Samad's opinion, there is no occasion whatever for the remarks made by the Khan Bahadur.

Rai Bahadur JOGESH CHANDRA SEN: My hon'ble friend Mr. Mullick recommends that the members of the "depressed class" should get some preference.

I would like to inquire seriously if the term "depressed class" has been clearly defined. I hold in my hand just now a copy of the representation forwarded by the "All-Bengal Padma Khatrya Association" to the Reforms Officer, Government of Bengal. This has been handed over to me by Babu Anukul Ch. Das, M.A., B.L., vice-chairman, district board, a most influential member of that community. He writes to say "Please mention in your speech to-day that this community does not like to be branded as depressed and takes strong exception to its inclusion in the list of scheduled castes. I shall be grateful if you kindly mention it in the Council." This shows that the term has not been fully defined and all such representations should be carefully considered.

I do not oppose it in any way but I feel that the definition should be clear so that those who really deserve support may get the necessary patronage from Government.

Maulvi ABUL KASEM: Mr. Gupta objected to the remarks made by Khan Bahadur Azizul Haque because he said Maulvi Abdus Samad had the courage to speak on behalf of the poorer untouchable Muhammadans. I say it is a calumny on my religion to say that we have anybody who is untouchable. So far as the Muhammadans are concerned anybody can come to our mosque. If a sweeper is converted to Islam to-day, he can enter the mosque to-morrow, he can even lead the prayers if he is otherwise qualified to do so. It is a calumny and a libel on Islam to say that this is not allowed, and any Moslem should be ashamed to call himself a Moslem if he objects to this. It is not a personal matter, and when my religion is attacked I am bound to retort and to raise my voice of protest, as strongly as I can against it. I repeat it is a calumny on Islam and my religion. I must protest against this sort of vilification on the part of one who calls himself a Moslem.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Maulvi Abdus Samad has been effectively replied to by another speaker, so it is not necessary for me to reply to him. There exists no backward class among the Moslems. If Maulvi Abdus Samad has any personal knowledge or personal experience, then it is his alone and nobody else's.

As regards the resolution, for the last two years we have not recruited any officers in this department, and the last time we recruited, we appointed some members of the depressed class in the Registration Department, and this shows that they have a fair representation in this department. So far as the backward classes were concerned, we took particular care to draw the attention of the district officers who

sent in nominations, to take into consideration the claims of the backward classes. Whenever we call for nominations we draw the attention of the district officers to this effect, and I am sure that whatever may have been done in the past, there might have been cases where due consideration was not paid to the claims of the backward classes—now I think Mr. Mukunda Behary Mullick has nothing to complain of justice not being done to the backward classes. I do not think there is any justification for making any different arrangement in future. I would, therefore, request the mover to withdraw his motion, because whenever we do make appointments in this department, we do appoint depressed class men according to the share to which they are entitled on merits, qualifications and special considerations.

I therefore request the member to withdraw his motion.

The motions of Maulvi Abdus Samad and Mr. Mukunda Behary Mullick were then, by leave of the Council, withdrawn.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 96,000 under the head "9B—Registration—Cost of transmission of landlords' fee" be refused.

I move this motion as a protest against the attitude of Government towards those provisions of the Bengal Tenancy Act under which landlord's fee is raised.

The Hon'ble Sir PROVASH CHUNDER MITTER: I rise to a point of order and it is this: that he cannot move any such motion under the registration head; it more appropriately comes under the Bengal Tenancy Act. He had an opportunity of doing so under the Land Revenue head. The Bengal Tenancy Act makes a statutory provision under section 26C (2) which says that a registering officer shall not register any such instrument unless the sale price is stated separately in the instrument and unless it is accompanied by the process fee prescribed for the service of such notice on the landlord, etc.

Mr. PRESIDENT: I do not think this point need be discussed any further as the time allotted to this subject is up.

The motion was then put and lost.

The original demand was then put and agreed to.

DEMAND FOR GRANT.

9A—Scheduled Taxes.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 5,000 be granted for expenditure under the head "9A—Scheduled taxes."

I think we all appreciate the action of the Calcutta Turf Club in agreeing to accept the amount of Rs. 5,000 as recommended by the Retrenchment Committee.

Mr. P. BANERJI: I beg to move that the demand of Rs. 5,000 under the head "9A—Scheduled taxes (Reserved)" be reduced by Rs. 100 (the starting of a State lottery managed by the non-officials in aid of the hospitals of Bengal).

In moving this cut of Rs. 100 I want to make my position quite clear. I should not be misunderstood from the very beginning. I wish to tell specially my European friends and members of the Government that this motion is not a crusade against the Royal Calcutta Turf Club. The Turf Club indeed is doing some service to charity, bestowing as it does, Rs. 5,000 on charities every year, but I consider that it is not sufficient. While the Turf Club is going on, at the same time side by side with it, there are so many clubs in Calcutta, nay in Bengal and all over India and Native States practically, which hold lotteries. Mr. Armstrong put some questions on this subject to Government but by their answer they have not risen equal to the occasion. They have always winked at the existence of so many associations which are starting lotteries and which are working at heavy stakes and taking away lakhs and lakhs of rupees. In this connection I may mention one of the foreign lotteries, namely, the Irish Sweepstake. I mentioned these lotteries in my budget speech when I pointed out that when it was found that the hospitals in Ireland were in a very bad way—in fact they were the worst hospitals in the world—and Government funds were not available for their help, they started a State lottery in aid of the Irish hospitals. You will be surprised to learn that they contributed to the hospitals as much as Rs. 88 lakhs in the first year, and to-day they are proud of the fact that the hospitals in Ireland have become the best of all in the world. You all know that year after year the Hon'ble Ministers have all been complaining of the paucity of funds. You have also noticed that the Medical budget is diminishing year after year. Last year it was Rs. 50,82,000 while this year it has been reduced to Rs. 50,71,000. Every one of us knows—and Mr. Armstrong drew attention to this fact also—that there is not sufficient accommodation in our hospitals anywhere, whether in this city, or in the countryside. Every member also knows it very well that charitable dispensaries have ceased to work as charitable dispensaries. They are now charging in some cases a fee of from two pice to one anna from the poor cultivators who cannot afford to spend even a pice for their medicines. They should be ashamed of calling themselves charitable dispensaries. There are so many lotteries doing useful work and I do not know why Government do not move in the matter. It is said that law stands in the way. But I may say, Sir, that the Hon'ble Mr. Prentice or the Hon'ble

Mr. Woodhead can very easily change the law. Certainly they cannot complain that it is not within their competence to do so. If not the Government of India, at least the Home Government can very easily do this. I think that considering the necessity and urgency of creating a fund for the aid of the dying millions of India it is necessary that such a State lottery should be immediately started and no time should be lost. That is not the only thing. If Government is unable to take an active part in this lottery I think every Hon'ble Member of this House can give his wide support, so that respectable men of the city and from elsewhere may come into the committee. I hope the Hon'ble the President will perhaps have no objection to work as president of that committee, or leading members of all the groups of this House as members of that committee. I can take upon myself the responsibility of placing in the hands of Government a crore of rupees in the first year in aid of our hospitals, and if the Hon'ble Mr. Prentice does not spurn the offer, I am even prepared to make some contribution to the Police Department also.

There is very little time at my disposal. I expect every leader of every group to support me wholeheartedly considering that it is a most urgent matter. One point I have forgotten to mention and that is that if such funds are forthcoming it will automatically improve the financial position of the general public. It will give a great fillip to all and sundry, to all business men and to contractors, so that almost everybody will be provided for. We shall be rid of this perennial financial difficulty from year to year and so much money will be placed in the hands of Government that its interest alone will be sufficient to run the administration.

The Hon'ble Mr. J. A. WOODHEAD: I have no intention of shutting out other speakers but I wish to place before the House as shortly as possible Government's views and policy on this question of lotteries. Mr. Banerji is distinctly enthusiastic about raising Rs. 5 crores by a lottery, but I fear he is unduly optimistic as to the possibility of raising this amount in Bengal at the present moment. Government policy for many years has been one of opposition to lotteries, either private or State, as a means of raising funds for Government or for local purposes. I adduce three reasons in support of that policy. First of all raising money by means of a lottery is raising money by encouraging and certainly by appealing to the gambling instinct, an instinct which unfortunately is so common in this world of ours and against which legislation has been undertaken in India and other countries. The second reason I give is this. Once you start on the slippery slope of lotteries in aid of Government or local institutions you do not know where you will stop. Having sanctioned a lottery for one purpose you will be met with demands for lotteries for many other

purposes and it will be difficult to draw a distinction between one purpose and another. I might mention that a few years ago we had a request from a municipality in Bengal for permission to organize a lottery to provide money for the town's water-supply. My third reason is that a lottery is an expensive form of raising money, and in this connection I would refer to certain figures that were quoted in a local newspaper last year in connection with the Irish Sweepstakes. According to those figures the expenses including commission incurred in connection with the five Irish Sweepstakes between November, 1930, and March, 1932, amounted to 24 per cent. of the total receipts, the figures being £3,300,000 out of a total of £13,800,000. The amount received by the Irish hospitals was £2,800,000, and it cost therefore £3,300,000 to raise £2,800,000. A simple calculation will, I hope, prove what I say. If 20 per cent. of the total receipts is allotted for the object for which the lottery has been promoted, and 10 per cent. for management expenses, the cost of management is exactly 50 per cent. of the amount you succeed in obtaining for the special purpose you have in view, and if as was done in the case of the Irish Sweepstakes, two free tickets are given in each book of twelve tickets a simple calculation will show that a ten-rupee ticket is really only worth between five and six rupees to the purchaser. These are the reasons why Government have in the past, almost for a century, opposed lotteries and why they still maintain that policy.

Mr. W. L. ARMSTRONG: I cannot understand the Hon'ble Member's argument that from a Rs. 10 ticket only a profit of Rs. 5 is made from it, that a 10-shilling ticket would give only 5 shillings if we do not want to pay a big commission. I think that other lotteries are being run here which make huge profits after having to pay about 10 per cent. on working expenses and what they get after giving very big prizes keep the whole institution going on a big scale. The Government position is entirely unique. They may say that they cannot go down a slippery slope but what about the slippery slope of finance, what about the slippery condition of hospitals in Bengal at the present time? Hospitals in Bengal are a disgrace at the present time; try to-morrow to get a patient admitted into the Medical College Hospital, you will see what great effort you will have to make. So also is the case at the Sambhunath Hospital. The Presidency General Hospital is maintained at a high standard probably because here the patients are to pay a lot of cost but I do not want to lower the standard of the Presidency Hospital. I want to raise the standard of Indian hospitals.

On the moral side of it the Government say it is a case of gambling but life itself is gambling; all our business is based on a game of chance. Do I understand there is no fine bridge player in this Council? There are, I am sure, many though they cannot play the game in

public because there is gambling in it. We must not do anything in public but quite apart from that I do not know of any one who got ruined by gambling. I do not know of any house being ruined by taking a ticket in a lottery. You are going to solve the other problems of unemployment. There are a host of architects, bricklayers; you have an army of doctors, bed-makers, linen-makers—a tremendous number of unemployed in Bengal. All these men will be enabled to do useful work.

Sir, you find a man with a broken leg: you will express sympathy with him but for want of accommodation you cannot send that man to hospital. Now, what reply are you going to give to this man who is suffering from such serious injury?

From the economic side there is need for lotteries for providing funds for hospitals, because there will be large savings from the hospital grants which can be utilised in giving grants to other departments. If the Calcutta Town Hall could be built out of lotteries, there is no reason why hospitals as well should not be provided by this means.

I have touched the economic side, but there is another side. Whatever we may do, there are people who will say that they cannot do it on religious grounds——

(The time-limit having been reached the member resumed his seat.)

The motion was then put and a division taken with the following result:—

AYES.

Armstrong, Mr. W. L.
Baksh, Maulvi Syed Majid.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Sarat Chandra.
Banerji, Mr. P.
Barma, Rai Sahib Panchanan.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kishori Mohan.
Choudhury, Maulvi Nural Abcar.
Chowdhury, Maulvi Abdul Ghani.
Fazlullah, Maulvi Muhammad.
Guha, Babu Profulla Kumar.
Gupta, Mr. J. N.
Hussain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Muhammad.
Kasem, Maulvi Abul.
Lockhart, Mr. A. R. E.
Maiti, Mr. R.
McCluskie, Mr. E. T.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Nag, Babu Bak Lal.
Norton, Mr. H. R.
Rahman, Maulvi Azizar.
Raikat, Mr. Prosanna Deb.
Rai Mahasai, Manindra Deb.
Ray, Babu Amulyadhan.
Ray, Babu Khetter Mohan.
Ray, Babu Nagendra Narayan.
Ray, Mr. Shanti Shekhareswar.
Ray Choudhury, Babu Satish Chandra.
Raut, Babu Hemai.
Roy, Mr. Sarat Kumar.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.
Suhrawardy, Mr. H. S.
Sumner, Mr. C. R.

NOES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.
Ali, Maulvi Hassan.
Austin, Mr. J. N.
Blandy, Mr. E. N.
Bose, Mr. S. M.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Maulvi Syed Osman Haider.
Chowdhury, Haji Badi Ahmed.
Dobbs, Mr. D. J.
Cooper, Mr. G. G.
Emonji, Maulvi Nur Rahman Khan.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.

Fawcus, Mr. L. R.
Ganguli, Rai Bahadur Sushi Kumar.
Ghaznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Guha, Mr. P. N.
Haque, Khan Bahadur Maulvi Azizul.
Henderson, Mr. A. G. R.
Hogg, Mr. G. P.
Hooper, Mr. G. G.
Hoque, Kazi Emdadul.
Khan, Khan Bahadur Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Mitter, the Hon'ble Sir Provash Chunder.
Momin, Khan Bahadur Muhammad Abdul.
Mullick, Mr. Mukunda Behary.
Ray, Reverend B. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Philpot, Mr. H. G. V.
Prentice, the Hon'ble Mr. W. D. R.
Proctor, Lt.-Col. A. H.
Quasem, Maulvi Abul.
Raheem, Mr. A.
Rahman, Mr. A. F. M. Abdur.
Ray Choudhury, Mr. K. C.
Reid, Mr. R. N.
Roy, Mr. Sailowar Singh.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Sadullah, Maulvi Muhammad.
Samad, Maulvi Abdus.
Sarkar, Rai Sahib Rohini Mohan.
Sen, Rai Sahib Akshoy Kumar.
Sulaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Thompson, Mr. W. H.
Tawseef, Mr. H. P. V.
Wilkinson, Mr. H. R.
Woodhead, the Hon'ble Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 36 and the Noes 51, the motion was lost.

The original demand was then put and agreed to.

(At this stage a child cried aloud in the upper gallery.)

Mr. W. H. THOMPSON: On a point of order, Sir. Is it not necessary to make inquiries whether any member has given birth to a child? (Laughter.)

Mr. PRESIDENT: I thought that the cry came from one of the hospitals in Bengal. (Renewed laughter.)

DEMAND FOR GRANT.

XIII, 15, 15(1), 16 and 55—Irrigation.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 35,05,000 be granted for expenditure under the heads "XIII—Irrigation—Working expenses", "15—Other revenue expenditure financed from ordinary revenue," "16—Construction of Irrigation, Navigation, Embankment and Drainage works financed from ordinary revenue," and "55—Construction of Irrigation, Navigation, Embankment and Drainage works not charged to Revenue".

In framing the budget for next year the condition of the provincial finance has been kept in view. Although the demand for next year's grant seems to be more than what was sanctioned by the Council for the current year by Rs. 2,12,000, yet actually as I shall explain, it is not the case. This seeming increase is simply due to the provision of Rs. 2,98,540 under head "15B—Stock Suspense" for adjustment of the value of spare parts of the dredgers, for which a credit has been taken under head "XIII—B—Direct receipts". Hence there is no increase

but really a reduction of Rs. 86,540 due to reduced provision under head "55A". In other respects the next year's budget generally follows the current year's with slightly increased or decreased provisions here and there as have been found necessary.

For financial reasons it has not been possible to provide for any new major works in the next year's budget. Only a few small works such as (1) constructing a distributary from Goralmuri to Bonepur, (2) constructing a distributary from Hirangram to Bahadurpur and (3) new surveys have been provided for. A distributary channel from Goralmuri to Bonepur and another from Hirangram to Bahadurpur will cost Rs. 5,000 and Rs. 4,000, respectively, during the next year. They are required to utilize the extra water on the Eden Canal received from the new Damodar Canal. Until they are constructed irrigation cannot be fully developed and loss of revenue will occur. The provision for new surveys is Rs. 10,676, which includes Rs. 4,676 for the Bidyadhari survey which has been taken up during the current financial year in connection with Mr. Griffin's scheme for reviving the Bidyadhari river. The remainder is for survey and investigation in connection with the irrigation and drainage problems of the province and is the least that must be provided to meet the urgent requirements under the head.

As regards works in progress, provisions have been made for completing *zilladar's* offices at Ballichak and Panskura, and for the Government share of the cost during the next year in connection with the reconstruction of Canal bridges such as Alipore, Narkeldanga, Manicktola, Beliaghatta and Chitpore. Funds have also been provided to continue the work of reconstructing Ultadanga bridge over the New Cut Canal, to complete certain works in connection with the Salbund Weir and to carry on surveys now in progress. Provision has also been made for demarcation of Government land along Tolly's Nala which is needed to forestall and rectify encroachments on Government property.

The construction of the Damodar Canal is being financed by loans from Provincial Loans Fund. A sum of Rs. 7,10,000, which is the anticipated requirement for works during the next financial year, has been provided under head "55A." The work will be nearly completed and the revenue accounts of the canal will be opened during the next financial year. As the Bakreswar Canal has been completed, nothing has been provided for that canal under head "55A." Only a sum of Rs. 2,000 for extension and improvement of the canal under head "XIII-A" has been provided.

Incidentally it may be mentioned that in the course of his speech in connection with the budget demand of this department at the last March session of the Council, Mr. J. L. Bannerjee remarked that the Bakreswar Canal, which was recently constructed in his district for

irrigation purposes at a cost of over Rs. 4 lakhs, was a very good canal but unfortunately there was no water in it. On inquiry it has been ascertained that these remarks in connection with the Bakreswar Canal were quite unwarranted. The river which is a hill torrent does not furnish a full supply of water all the year round. The canal was specially designed for making the best use possible of the water which is available and is normally sufficient to irrigate 10,000 acres of paddy. Without the canal this water would simply run to waste. The area is undulating with quick drainage and without the canal probably little of it would be cultivated, and it would produce poor crops. The works were specially designed so as to provide for the contingency of shortage of water in October and so that every freshet which occurred in October should be fully utilised.

In the first year of its running during 1932 the canal irrigated 4,032 acres as against 5,000 acres anticipated in the project estimate. The river was equal to the demand throughout the *kharif* season of 1931-32 and there was no shortage of water. Taking into consideration the fact that the year was a year of good rainfall and that the demand for water for irrigation was not keen owing to the low price of paddy the result was quite satisfactory.

This year the average under irrigation has increased to 4,839 acres —but for the low price of paddy it would no doubt have been much higher.

Sir, it is quite easy to say, as has been the fashion, that the Irrigation Department has done little to deal with the enormous problems which await solution in Bengal. But the magnitude of these problems is scarcely realised, nor is the extent of the work which is actually being carried out by the department even at a time like this when it has mainly to confine itself to maintaining existing works, and can make very little progress to carry out or even investigate new works. In the meantime, however, the Irrigation Department has by no means been found wanting in readiness and alacrity with which it has responded to popular wishes and adapted its policy accordingly. I need refer to only a few notable instances of late such as Sirajganj, Noakhali and Nadia, where the department readily went forward to the assistance of the local people. But still there has been no lack of criticism, however ill-founded it might have been.

As for maintenance and repairs and tools and plant, provision made for them is what is essentially necessary after curtailment of all avoidable expenditure. Provision for establishment has been made after curtailment of 5 per cent. of the contingencies, etc., charges, in accordance with the recommendation of the Retrenchment Committee. A reduction to the extent of Rs. 9,000 has also been made in the temporary establishment. The recent Government order reducing the percentage

rate of calculating pensionary charges from 14 per cent. to 7·25 per cent. has also resulted in a substantial reduction in these charges. But the partial withdrawal of the percentage cut in salaries with effect from 1st April, 1933, and the provision for employment of revenue staff for assessment and collection of revenue from the Damodar Canal, which will be opened during 1933-34 as explained above, have counterbalanced the reduction.

As regards the recommendations of the Retrenchment Committee that a special committee should be appointed to examine the activities of the Irrigation Department and decide how to increase income and effect further economies and whether certain works should be abandoned, I would observe that before the Retrenchment Committee sat the question of increasing income and reducing expenditure on the various works was taken up and considered by the present Chief Engineer and his officers, and the Irrigation Department also consulted with the Finance Department and as a result considerable economies have been effected. It is unfortunately impossible to increase the income of the irrigation canals at present owing to the low price of paddy but that is no argument for scrapping irrigation canals which in normal times, even according to the figures given by the Committee, produce a surplus of revenue over working expenses. In fact, apart from certain dredgers which I will refer to later, the only major works shown in the Committee's list which did not produce a surplus of revenue over working expenses during the 10-year period taken by the Committee, are the Calcutta and Eastern Canals and the Sunderbans Steamer Route. The case of the former was examined and it was found that apart from the expenditure incurred in replacing the bridges over the Calcutta Canals —an expenditure which will cease when the bridges are reconstructed— the average surplus for a period of six years was over Rs. 82,000 per annum.

These canals are essential for the trade by boat between Eastern Bengal and Calcutta and are normally a paying concern.

The Sunderbans Steamer Route again is an essential trade route. It was estimated that in a normal year some 474 lakhs of maunds of goods pass through the route. Owing to its deterioration, the cost of maintaining the route has increased in recent years. The question of increasing the tolls is under consideration.

However, the question of a special committee is still under consideration.

One of the principal recommendations of the Retrenchment Committee is the reduction of the cadre of the Indian Service of Engineers in the Irrigation Department. The present excess is due to the fact that it has not been possible for financial reasons to expand the department, though several schemes were put forward and some were

administratively approved. The cadre was last revised in 1920 on the basis of 19 superior posts and in 1930 the Irrigation Department Committee, after examining the work of the department, recommended that even after the separation of navigation and creation of a Waterways Trust, which would mean the transfer of some posts and officers to the Trust from irrigation, embankment and drainage, there should be 16 superior posts in the Irrigation Department.

Since, however, expansion is not possible for some years to come, a reduction of the cadre is necessary and will be given effect to as early as possible with the sanction of the Secretary of State.

The Irrigation Department has always been treated as a quasi-commercial department, that is, it has to pay for all the services rendered to it by other departments, and to charge for all the services rendered by it to the other departments of Government as also the public. As a result, it has been expected to be able to pay its way. I have my doubts how far the Irrigation Department in Bengal can do so, though as the classification has been made on the analogy of other provinces I am afraid we have to accept it. But it is well known that the Irrigation Department of Bengal does not pay its way. In order to understand the situation properly, I hope you will bear with me for a moment when I shall briefly describe the situation.

Now the activities of this department comprise as you are aware—

(1) Irrigation,

(2) Navigation,

(3) Flood-protection, and

(4) Drainage.

(At this stage the Hon'ble Member reached the time-limit and resumed his seat.)

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that the demand of Rs. 19,000 under the head "15—Irrigation and other revenue expenditure financed from ordinary revenues—Works" be reduced by Rs. 100 (to raise a discussion on the policy of the expenditure on these heads).

In moving this I may say that my heart goes out in sympathy with the Hon'ble Member who has bewailed his lot in having been burdened with legacies of the past. These legacies have been sitting like the Old Man of the Sea on his shoulders apparently, and have made him unable to show any achievement during the years that he has been in charge of the department. To start with, there was that ill-fated Grand Trunk Canal project which brought with it two white elephants, the two dredgers, the *Ronaldshay* and the *Cowley*, and we are

now informed that it brought in its trail also a huge cadre which, it has only now been discovered, is too large for the department. It is reassuring to hear, however, that the Government of Bengal is going to move the Secretary of State after all these years for the reduction of the cadre, but by the time that this communication reaches the Secretary of State, and the Secretary of State has had time to look into it, the sanction of the Secretary of State may be wholly unnecessary after the Reforms. In addition to that burdensome and expensive cadre and with an expensive series of projects like the Midnapore Canal and the Eden Canal and other white elephants of the department, the Hon'ble Member never had enough funds placed in his hands, and it is sad to contemplate what the Retrenchment Committee of 1921 did to the Irrigation Department. The Irrigation Department was one of these departments which was most hard hit and when other departments made good some of their losses during the following years the Hon'ble Member in charge of Irrigation had never a slice of the surplus in the following years. Well, Sir, notwithstanding all this misfortune of the Irrigation Department the Hon'ble Member has given us no indication that he has visualised the problem before him in the comprehensive spirit in which it should be faced. He has not given us any information in all these years which would show that he has got any irrigation policy for Bengal. Whatever might have been the excuse for the sort of activity or inactivity of the department in the past, when no policy was really formulated and when the sole function of that department consisted in criticising adversely the academic principles of Sir William Wilcocks, at the present moment there is absolutely no justification for the department not yet having formulated a definite policy after the whole question had been examined by a committee appointed by Government and presided over by Mr. Hopkyns. The Hopkyns' Committee made certain very definite recommendations, and although they criticised the opinion of Sir William Wilcocks they agreed with him in one respect and that was that the question of irrigation and navigation of Bengal has got to be visualised as one, and worked out as one on a comprehensive scale. Notwithstanding this all that the Hon'ble Member has got to say about the report of the Hopkyns' Committee is with reference to that portion only where they suggest the creation of a waterways trust. Sir, the waterways trust is just the thing after the heart of the Bengal Government. Whenever Government is called upon to do some service to the people of Bengal the first thing they think of is to set up an expensive establishment for the purpose and they are so busy sharpening the weapons that they can hardly find time to use them. That has been our experience in the past and I shall not be surprised if, when the Hon'ble Member comes forward with his Bill for a waterways trust, it will turn out to be one of those expensive weapons, richly mounted, which are never intended to be used for any purpose and which never do any good to the country. But apart from that, the other recommendations of the

Hopkyns' Committee have absolutely fallen flat on the Government. The Hon'ble Member has not said a single word on them in his speech while introducing his budget this year. It is quite possible that a comprehensive scheme could not be evolved in one day; it is quite possible that in our present financial position we cannot think of any comprehensive irrigation policy which would distribute the water resources of the country in the most profitable fashion. But certainly a beginning could have been made; certainly some amount of thought could have been expended on the organisation of research towards that object, but has anything been done? We do not know. Judging by the ways of the Government of Bengal we may be sure that nothing has been done. Meanwhile the Government goes on spending the people's money on the department's white elephants. The Midnapore Canal has been in the hands of Government for years and years and it has been a burdensome charge. Expert after expert has recommended its abandonment. The Eden Canal is one of those things which has also been a burden to them; the Damodar Embankment is also a burden to them. These are the problems which the Government have been thinking out all these years and wasting money on. Nothing has been thought out with regard to them. They have not abandoned any of them, and even now we are asked to contribute to the maintenance, extension and improvement of the Damodar Canal, and the Bakreswar Canal—two of the projects which have been most strongly criticised by Sir William Wilcocks. We are asked to provide for the Midnapore Canal, the Hijli Tidal Canal and so on and so forth. Well, Sir, this is not business. The Hon'ble Member has reminded us that the Irrigation Department should be looked upon as a quasi-commercial department. I suppose that by that is understood that in the Irrigation Department the income should at least cover the expenditure. Of course I shall be very glad if that were possible, if expenses are covered by income, and if Government had all this time thought out some means of adjusting their budget so that expenses would be covered by income or more than covered by income. But if it is a commercial department then one might suppose that the one thing which would necessarily follow is that commercial methods should be adopted in dealing with this department, that we should have followed the methods of business. Well, Sir, what have we done? We have on the contrary done exactly what no business man would ever think of doing, namely, we have provided a huge establishment which has nothing to do. That is a strange fashion indeed of running a commercial department; I submit that I have already had occasion to speak in this Council with regard to this matter last year and since then other Hon'ble members have also criticised Government on this score. But with reference to all of them, the Hon'ble Member has only cared to investigate into one matter, namely, whether there is water in the Bakreswar Canal. The Hon'ble Member has made the mistake of taking my esteemed friend Mr. J. L. Bannerjee too literally

and made no allowance for the fact that he is a master of rhetoric. When he complained last year that there was no water in the Bakreswar Canal he certainly did not mean that there was not a drop of water to be found there; what he meant was that the water resources were not adequate for the purpose for which the canal was sought to be made serviceable; that is to say, what he meant was that the water resources available were not properly gauged before the project was launched upon. With regard to that the Hon'ble Member has no answer to make. It is perfectly true that a few thousands of acres may have been irrigated out of this canal, but supposing you make a balance sheet of that, would it show that the benefit which has been obtained from that is commensurate with the amount of money that has been spent on it or that it might not have been more profitably spent? That should have been the object of the investigation made by the Hon'ble Member but he has not done anything of the kind. Also he had not a word to say with regard to the other points raised by other speakers. He apparently had not investigated into the matters at all. That is the way in which the Hon'ble Member has treated our criticisms—criticisms not founded upon mere inexpert opinion but founded upon the opinion expressed by their own expert committee presided over by Mr. Hopkyns of the Indian Civil Service. I submit that all these years the Irrigation Department has been merely playing with the vital problems of Bengal and should not be allowed to go on playing like this any more.

Khan Bahadur Maulvi AZIZUL HAQUE: Traditions record that there is an unfathomable depth in the mouth of the Bay of Bengal, and till lately we held that if we could drown the two dredgers at that spot it would be much better. As year after year goes by and we gain experience we think that if the Irrigation Department had been non-existent Bengal would have been distinctly the gainer. I will not multiply instances; I will not use strong language but I will seriously ask certain questions. If it is a fact that the Bengal Irrigation Department has been recruiting a number of superfluous officers? If it is a fact that instead of 19 officers only, required according to their own standard of recruitment, to-day the total number of Imperial Officers there is as much as 28 or 29? I solemnly ask the Hon'ble Member whether there was any necessity of recruiting a Chief Engineer from the United Provinces in the circumstances. Does the Hon'ble Member in charge of the Irrigation Department mean to say that the Irrigation Department is so incompetent that out of 28 officers who have been recruited—all of them belonging to the Imperial Service—not one of them was fit to be the Chief Engineer? I could have understood their recruiting a Chief Engineer from another province if there were no superfluity of 9 Imperial Officers, and when Bengal has been paying unnecessarily not merely for 19 officers but also for another 9 who are not required. Am I to understand that the Hon'ble Member

wants to say that out of these, every one is unfit to be a Chief Engineer? That is where my criticism comes in. That amount of attention which ought to have been devoted to this department has not been given to it. Government are still thinking and corresponding with the Secretary of State but what decision has been arrived at has not yet been known to this House. On your own statement you have recruited superfluous officers. It was not known to anybody till a committee was appointed and on the statement of that committee it was found out that there were 9 superfluous officers. They have recommended that these superfluous officers must go. Why should Government take so much time to come to a decision as to whether they should be reduced or not? Is it not a fact that it is quite possible for Government to discharge those officers who are advanced in years? Are there not men in the Irrigation Department over 25 years of service who can easily be discharged and asked to take pension so that these 9 posts can be reduced? It is very difficult to argue in a matter like this but I am afraid the Hon'ble Member has tried to put in a picture which will not bear scrutiny. He has held out that certain canals are paying. He has spoken of the Midnapore Canal in which he has shown that this is a very useful canal. I will not take much time of the Council over this matter but I will say only one word. Is it not a fact that this Midnapore Canal was intended to irrigate about 140,000 acres of land? Is it not a fact that in earlier years it kept up an acreage of 80,000 acres and is it not a fact that that acreage is gradually declining till it has now come down to 51,000 acres only? I want to put one plain simple question. What does it show? If this canal was for the benefit of the people, do you mean to say that the people are so many fools that they would not take advantage of this and that instead of increasing the acreage they will see it diminish? After all you cannot justify it by economic depression either, because it is exactly in a year of economic depression that people will try to get more from their land. What does the fact show? That within the last 20 years the acreage has declined from 81,000 acres to 51,000. Sir, I will not do more than quote the authority of Col. Hayes, which has been printed in the Retrenchment Committee's report and which says that it must be 140,000 acres. Am I to understand that simply for the sake of 51,000 acres of land in a remote corner of Bengal we are year after year to provide not merely the working expenses, but also to meet the interest charges incurred on this canal?

Sir, take the Midnapore Canal. It has cost us in interest charges alone—and these interest charges are payable to the Government of India and I am referring to the actual and not book transaction—Rs. 20 lakhs. So the total expenditure on this head comes to 47 lakhs of rupees as against a gross revenue of Rs. 25 lakhs, and it, therefore, shows a net loss of Rs. 22 lakhs. At the time when

irrigation was a department of the Government of India, you could do what you liked. Is it a matter which you can treat lightly to-day? But that is what you are doing. When the Agricultural Commission reported, they said that navigation and irrigation should be treated as different subjects. I remember I raised a discussion in this House and Mr. Addams-Williams—may his name and fame grow far and wide—announced on behalf of Government that a committee of officials and also, if possible, of non-officials would be appointed to investigate this question and he definitely assured us that after an expert committee of officials had been appointed, a committee of non-officials would be appointed later on.

Then, Sir, the Retrenchment Committee have again recommended that the loss to Bengal finance is so heavy that every matter must be thoroughly investigated—whether it relates to continuance or maintenance or extension. Now, Sir, is that demand from the public very unreasonable? When we are showing by facts and figures that each project is causing a loss to Government and a committee presided over by a senior member of the I.C.S. says that you should investigate the matter, why should you not appoint a committee as soon as possible? I should like to say that this is the way how the Government becomes unpopular in this country. Sir, we have come to this House against the opinion of a vast body of public known as extremists at great risk and yet we are not taken into confidence. There is an Irrigation Standing Committee. Have you ever consulted that committee?

Sir, I understand that the Hon'ble Member is intending to launch a Waterways Bill. Has the Standing Committee been consulted and, if not, may I inquire why the members are not consulted at the earliest opportunity so that it may be possible for them to give their opinion?

I would give two more instances where the Retrenchment Committee recommended that each and every project of irrigation canal should be separately investigated by a small committee, which was not possible for the Retrenchment Committee to do. Take the Damodar Canal. The Government of Bengal in its own solemn resolution said that if the Damodar Canal were to be taken in hand, it must be taken up as a project under the Agricultural and Sanitary Drainage Act. Yet when this project was actually taken up, Government adopted an entirely different policy. When it was first taken up, the original estimate was Rs. 91 lakhs. Then it was reduced to Rs. 70 or 71 lakhs, now it has again gone up to Rs. 90 lakhs. Has the Hon'ble Member inquired why this estimate was reduced and why it has again gone up? I ask, is it not a matter worthwhile investigating? When you have calculated on acreage charge, if the acreage is increased, what will be the financial effect? Will it again cause a terrible loss to the Bengal finance as you will have to meet increased

interest charges? Sir, when we criticise the working of the department, we do so not in a carping spirit, but we do feel that there are so many things left undone and so many things badly done, that one part becomes so heavy that the other part becomes absolutely insignificant. I will not at this stage say anything about the projects taken up by the department. Take the Bakreswar project. What has been its ultimate financial effect? When the Bakreswar Scheme was initiated, it was estimated that the cost would be about Rs. 3 lakhs which would be recouped from the revenue derived from it. Now it is said that it will not be a paying concern. Sir, the Damodar Canal requires immediate investigation. It is hardly likely that your expectations regarding revenue from this project will be fulfilled, because we are not going to get our good old prices at a near date, because the facts and circumstances do not justify the hope that we are going to have better days soon.

Sir, as I have said before, the bogey is being raised year after year of the danger to the Eastern Bengal trade route. Sir, if the Eastern Bengal trade route is in danger, surely the people affected by it should be able to pay. If these trade routes are not paying their way, I do not see why they should be maintained. Is it for the provincial revenues to maintain these routes, the chief revenue from which goes to the Government of India? Let that Government maintain those routes—it is not our concern. After all Bengal cannot be the perpetual milch cow to be drawn upon by anybody and everybody.

Now, Sir I shall speak a few words about the budget itself. As I have said, one of the few recommendations of the Retrenchment Committee——

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: On a point of order, Sir, is the member travelling over the whole budget or only the policy?

Mr. PRESIDENT: He is to discuss the policy of the expenditure under the heads covered by your demand.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, there is another matter which I want to bring forward in connection with these receipts and that is that it appears from the latest Administration Report that in the Midnapore Canal the fee is 3·38 pies per ton; in the Eden Canal it is 10·68 pies, while in the Madaripur Bil Route, where we spent lakhs and lakhs, it is ·77 pie. Why is it that ·77 of a pie is the charge in the Madaripur Bil Route? That is a matter on which no answer has yet been given, and yet that is a source from which we may possibly get a little more revenue.

Sir, I have been criticising year after year with a view to finding out how the subsidies paid to the Steamer Companies for bandalling work are being utilised. This year I took the trouble to travel from the Hardinge Bridge to Rajmahal—in a boat and had an opportunity of seeing how the bandalling work was being done. I must say I went there not with a view to seeing the work but on a shooting excursion. But I saw the works. I do again plead that this is a matter which should be looked into. The Steamer Companies will look to their interests only and not to those of the people in maintaining the bandalling.

(Here the member having reached the time-limit resumed his seat.)

Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, I am sorry I am rising to speak at a time when the Council is going to be adjourned. I shall have just one or two minutes' time to speak. However, Sir, I have heard the speech of——

Mr. NARENDRA KUMAR BASU: On a point of order, Sir. Was not Mr. Suhrawardy called upon to speak?

Mr. PRESIDENT: I called out Mr. Suhrawardy's name as he caught my eye, but he yielded to the Nawab Sahib.

Nawab MUSHARRUF HOSAIN, Khan Bahadur: Sir, I have heard the speech of Khan Bahadur Azizul Haque. I thought that I would be able to agree with him in many matters, but I am sorry he has spoken something which does not seem to be quite correct. He has been telling us that the canal projects ought to be abandoned ("no, no") and he wants to show that as they are not paying, as the expenditure that has been incurred on them is not being realised, these canals should be abandoned. ("No, no".) I do not know what he means. That being the position I do not believe he is right in demanding the closing of these canals. If the Midnapore Canal, which was irrigating 140 thousand acres before (A VOICE: It was not), is now only serving 53,000 acres, I do not think you can blame the department. If he says that 53,000 acres should be abandoned, thereby adversely affecting the crop that is raised in that area, I believe he is not voicing the right opinion in this House. My friend says that if the 53,000 acres be abandoned and with it all the crop that is being raised in that area then I think he is not voicing the right opinion of this House; 53,000 acres is a sufficiently big area.

Khan Bahadur Maulvi AZIZUL HAQUE: That is a sufficiently big area for growing tea, no doubt

Nawab MUSHARRUF HOSAIN, Khan Bahadur: Yes, not only is it a sufficiently big area for growing tea but for growing paddy as well. If he neglects this 53,000 acres in this way, then I think he does not at all seriously consider any proposition at all.

(At this stage the Council adjourned for fifteen minutes for prayer.)

(After adjournment.)

Nawab MUSHARRUF HOSAIN, Khan Bahadur: What has happened is that Government have kept pace with the flow of time and with the flow of water in the canals. However, I do not agree with my friend when he says that all these canals which are working at a loss to the Government should be stopped for I do not know how otherwise they can be kept working. As far as I know from the time of Feroz Shah Tughlak up to this time anybody who has read the history of India will at once say that it is these canals that have left permanently the name of Government. If the Moslem Government is still remembered in India, it is due to Feroz Shah Tughlak who began irrigation of India and he is being followed by the present Government with very great success. If my present Tughlak, *i.e.*, Sir Abdelkerim Ghuznavi, ought to be proud of anything it is for these canals and irrigation works. (There were murmurs.) It is difficult for me to speak owing to interruptions. I would always support any scheme when it emanates from Government for the purpose of making better the condition of the people. I know a place at Jalpaiguri which is a very high land and although the rainfall in the district is about 112 inches but for the want of any project that plot of land is lying fallow. I know that the Secretary of the Irrigation Department, who was also Deputy Commissioner of Jalpaiguri some time ago, will bear me out when I say that a certain portion of Bengal still requires irrigation and if these projects could be initiated in my own district, I am sure it would have caused immense good there, and I do not understand when some of my friends say that the irrigation canals that have been constructed elsewhere should be abandoned. I do not know what they mean. First of all this is not at all a practical proposition. Take now the case of the 53,000 acres; if Rs. 50 be the value of the produce of an acre the total value of the produce of the whole area will be about Rs. 26 lakhs. So, I say if you want to deprive the people of the locality of the Rs. 26 lakhs, then you can abandon the canal. I would be the last person to recommend this. I hope that this policy should be approved by all of us and in all these places where canals are necessary such canals should be excavated at Government cost.

Then there are other points raised by my friend Khan Bahadur Azizul Haque about the cadre. These are public properties and even if the Government have admitted that the cadre is too big and ought

to be curtailed, they have already written to the Government of India as also to the Secretary of State, for a revision of the cadre and I do not think any more flogging is necessary on that account and I excuse the Member-in-charge when I find that he has done his part of the duty. It is the Secretary of State and the Government of India that are now responsible for the delay. If they delay in the matter their action will be criminal. I would, therefore, ask the Hon'ble Member to report the opinion of this House, so that the Government of India and the Secretary of State may expedite disposal of Bengal Government's recommendations. If he does that much, I believe we will have nothing more to complain.

As regarls the comprehensive scheme regarding which my friend Dr. Naresh Chandra Sen Gupta has spoken so eloquently, I would appeal to him, as I did last year, to see that the comprehensive scheme is prepared by the Government. This is a bare necessity. And if the Member-in-charge be true to his salt he ought to see that there is no further delay in making a comprehensive scheme. This is more than overdue. And I would appeal to him to see with all the respect that he commands that this is a matter which does not admit of any more delay. I do not want to attack the Member but what I would rather say is that he should not put forward any further excuse in making a comprehensive scheme. If he thinks that he should get any assistance from intelligent members of this House like Dr. Sen Gupta he can take them into his confidence and get things done as quickly as possible.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Mr. President, the House has been regaled with a flow of rhetoric from some members opposite and from the Khan Bahadur in particular. I should like to say, Sir, that rhetoric is a very agreeable thing, but a subject like irrigation has got to be looked at from the point of view of hard facts and rhetoric does not come in. Perhaps my friends seem to think that as irrigation must flow, rhetoric must also flow, and that is one of the reasons why Khan Bahadur Azizul Haque and the Doctor have given vent to rhetoric in speaking on the matter under discussion. One ounce of common sense in which they seem to be lacking is worth a ton of rhetoric. In the first place, I am afraid that in spite of every intention to supply all information to members of this House, Dr. Sen Gupta rather questioned me for not supplying information on certain subjects. I should like to know what subjects he refers to; if he cares to have information about the dredgers I should be glad to give him all information. I would be glad to tell him something about the Waterways Trust too. I was simply waiting for the relevant motions to be moved when I would have an opportunity of speaking on these various subjects which will be no doubt of interest to the members of this House.

As regards the few points which have been touched upon, the first question that I should like to refer to, is the question of cadre. An attempt has been made to visit the sins of former Governments on the head of the present Government. I may tell my friends that long before the Retrenchment Committee sat, Government were very anxiously considering as to what steps they should take with regard to the question of reducing the cadre, inasmuch as the purpose for which the recruitment continued to be made at that rate could not be given effect to. The Committee over which Mr. Hopkyns presided distinctly recommended that the Irrigation Department should be expanded, but as soon as their labours were finished, financial conditions went from bad to worse with the result that it has not been possible to effect any expansion at all. Government, therefore, of their own motion, have been considering what they ought to do about reducing the cadre, and I may say that the decision to reduce the cadre was reached long ago. This reduction, however, is not within the scope of the local Government, who have perforce to go up to the Secretary of State and get his sanction before reduction can take place. Therefore, there can be no complaint on this head at all. I have explained clearly that the Government are alive to the situation and have taken all necessary steps, but their decision can only be given effect to on receipt of the Secretary of State's sanction.

Then the next question is about the canals. A good deal of water has flowed through the canals, and also rhetoric in this House. I want to ask one question. Do you suggest that these canals should be dropped? Do you suggest, having regard to the fact that they have been run at a profit and are practically paying their way, that they should be scrapped? I may also point out to the Khan Bahadur that nobody has been a greater critic of this department than myself, as I have looked into every nook and corner of this department. I can assure the House that it has been more or less a Herculean task to me. Since I first came into office, I found this department encumbered with a lot of unwieldy projects which would have taxed the resources of the Government to the utmost; the provincial exchequer had also been burdened with heavy loans taken from the Government of India in connection with the purchase of dredgers and things of that kind. These dredgers have been described as white elephants, but has any member of this Council, who has taken so much pains to criticise these dredgers, ever cared to pay a visit to these dredgers to examine them? Go there and take a look at them, they would seem to be like a flotilla. Well, I spent a very pleasant morning and inspected the dredgers from one end to the other. It took a whole morning, and I believe, a thorough inspection of that kind has never been carried out since the dredgers were purchased. This shows that I have not been remiss in looking into things to find out what has been done and what should

be done. It was also said that I recruited a Chief Engineer from outside Bengal. My reply is very short and to the point. Does it lie in the mouths of members of this Council who have always been singing in praise of (*sic*) of Mr. Addams-Williams, to make this a grievance? Did they want his policy to be perpetuated or did they not insist on my looking for fresh blood from outside? I pause for a reply. I have not only given effect to the wishes of the members of this House, but I have done the best and secured the very best brains that could be had in India. The present occupant of the post has a very good reputation. Lord Meston, the then Governor of the United Provinces, spoke in the highest terms of the present Chief Engineer. Then there is the old adage, *viz.*, the proof of the pudding is in the eating thereof. All projects like the Nabaganga-cut and dozens of others were prepared long before, and not one of them was taken up till the arrival of the present Chief Engineer. We must admit that. Furthermore, I wish to make it perfectly clear that we in the Irrigation Department are now introducing a new orientation in our policy which means that in our view the proper thing to do is not to pay attention to a single district like Burdwan and sink all the money there. We now wish to do all we can for the province as a whole. That, I may say, is the policy which ought to find the very fullest approval of the House and for which Government ought to be given credit. But far from it, I hear nothing but criticism to the effect that no policy has been adopted. The policy which we are trying to adopt is the greatest amount of good to the greatest number for the least amount of money.

Now, let me tell you something more. Some members have mentioned the chief trade route and the question of the necessity of Bengal paying for the upkeep of that route. May I remind the House that in my opening speech I mentioned the large amount of goods that come in by that route, by steamer and by boat. By steamer alone, the figure comes to something like 474 lakhs of maunds of goods which pass through every year. Is it not important, and does it not justify Government keeping that route open? I admit that in the past a great deal of money has been spent on the upkeep of this route. A great deal of money has been spent on the Madaripur Bil Route and I admit that some blunders have been made in the past. Now, is it the business of members of this House to go on harping on past blunders without seeing what efforts are being made now to make up the lost ground? It is all very well to harp on past sins, but at the same time it would also be agreeable to hear criticisms which are fair and encouraging. Otherwise, there is no point in going on with a policy, which, I take it, is desired by the members of this House.

Some reference was made to the question about the proposed Waterways Trust, and, as a matter of fact, Mr. Narendra Kumar Basu inquired as to whether it is going to be given effect to in the Greek

Calends. I said that it would be given effect to, not in the Greek Calends, but in the Bengal Calends, that is to say within this year. I may inform the members of this House that since the submission of the report of the Hopkyns' Committee, Government have taken every possible step to proceed expeditiously with the scheme. You must realise that before the scheme could be proceeded with, we have had to address a large number of public bodies and carry on a large amount of correspondence and so on. Well, all that has been done, and it meant time. Then, as regards finance, the Finance Department must naturally criticise all schemes before they can be accepted by Government as a whole, and I must say that all credit is due to my friend Mr. Woodhead who has taken the trouble to help me as regards the financial side of the question. All this too must take time. Anyhow, members will be glad to hear that we have addressed the Government of India and as soon as the sanction of Government of India is received, we shall introduce a Bill in Council. We hope to do this in the next session. That is the position with regard to the Waterways Trust, and the House must remember that His Excellency the Governor, when he addressed the House also mentioned this Bill. You may take it from me that as far as we are concerned everything is complete, and we are only awaiting the sanction of the Governor-General to introduce it in the Council. I am taking every step to have the matter expedited. I therefore oppose the motion.

Adjournment.

The Council was then adjourned till 10-30 a.m., on Saturday, the 18th March, 1933, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Saturday, the 18th March, 1933, at 10·30 a.m.

Present:

Mr. President (the Hon'ble Raja SIR MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 101 nominated and elected members.

DEMANDS FOR GRANTS.

XIII, 15, 15(1), 16, and 55—Irrigation.

Mr. H. S. SUHRAWARDY: After the complete vindication by the Hon'ble Member of the present policy of his department there is little that can be said by way of suggestion, but to request him when working out the policy, to take the non-official members of the House into his confidence.

We are glad to be informed that the department is alive to the superfluity of Imperial Service officers when there is so little work to be done and that the Government of India has been consulted with a view to dispensing with the services of some of them. I am not one of those who believe that the activities of this department should be restricted; I would far rather that the department was expanded to such an extent, that so much more attention was paid to it that it became the most important department of Government; and the Council and the people and the Government realised that on its proper working depends the life, health and the prosperity of the people.

I would far rather therefore that this department could entertain even more officers and servants but until we have embarked on a comprehensive policy and until we have sufficient work to do and enough money to spend there is no reason why so many officers should be kept on in the hope of better days.

I hope, therefore, Sir, that the Hon'ble Member will bring it to the serious notice of the Government of India that we consider that there are far too many officers; for he is taking a great risk in his recommendations which, if insufficient, will lead to further criticisms next year. I entirely agree with the Hon'ble Member in that he has gone outside the cadre in Bengal for his Chief Engineer. It is quite possible that there were officers here who could have done the work and

who could have brought into the department a different outlook from that of Mr. Adams-Williams. Nevertheless to discover them would have involved an inquiry into the extent to which the officers disagreed with his Chief Engineer which would not have been advisable or pleasant. We believe that the present Chief Engineer has completely justified his selection and we hope that with the passage of time he will have grasped our necessities and been in a position to work out a comprehensive policy.

I now come to some remarks of Khan Bahadur Azizul Haque. Generally speaking they are informative but on this occasion, I am afraid that he has deliberately played to the gallery for the purpose possibly of securing the commendation of certain members of his group. It is no use to-day speaking of the Midnapore Canal and the excessive interest charges that we still have to pay. Similarly there are other projects scattered throughout Bengal which were undertaken in great hopes but which have become wasteful and expensive. Can the previous mistakes be remedied? Whether they are scrapped or not, we shall have to go on meeting the expenses and paying the interest and hence the Irrigation Department of the present day can hardly be held responsible for the existence of these projects. If something had been suggested by which we could have increased the income, or decreased the expenditure, or avoided the interest payable, or any charges calling for an inquiry into the working of the canals had been brought forward, one could have appreciated the criticisms. The question whether they should be scrapped or not, is however a question which we ought not to lose sight of. So far as I am aware the Midnapore Canal has cut across the natural drainage of the country with the result that the embankments rise higher and higher and the natural water courses are choked and blocked. It is possible that in a comprehensive scheme founded on sound engineering principles it may be necessary at some future time to scrap this canal and I hope that Government will not lose sight of it. At any rate something must be done in order to prevent the embankments from continuous growth. Similarly, the Circular Canal to the north of Calcutta has turned the areas to its north into a marshy, swampy, malarious district and has killed the rivers to its south. The death of the Bidyadhari is due to this canal, as well as to the policy of reclaiming the spill areas by means of embankments and thus preventing the natural flow and ebb of the water. Government should take early note of this and should try and set about acquiring those plots of land which formerly constituted the spill areas and by whose reclamation the natural river courses are drying up. If the Bidyadhari is somehow or other not resuscitated, I feel perfectly certain that in the not distant future Calcutta will have become infested with mosquitoes, and will be one of the most malarious plague spots in Bengal.

Knowing as we do the services which the Hon'ble Member has rendered to the Irrigation Department in Bengal, the greatest of which, was his acceptance of the resignation of Mr. Adams-Williams and his recognition that a new policy was necessary for his department, it becomes difficult for us to refer to the mal-administration even of a not distant past, but I cannot help referring to the wasteful Damodar Canal scheme if only to illustrate a point that I shall shortly make. This scheme on which nearly a crore of rupees has been or is going to be spent is meant to supplement the Hatya or the October rains in the areas which it proposes to serve. As the canal will be fed by the Damodar river it will not be able to give water when there is drought. It will have plenty of water when the villagers will not need it. It will deprive the lower reaches of the river of water and take away that water which the people below are justly entitled to. It also offends against engineering principles as it cuts across the natural drainage of the country. I believe this scheme received sanction when for some months the Council had been suspended owing to Ministry difficulties. I remember that I for one opposed it vehemently, but I was met with the reply that the expenditure had already been incurred and some members of the Burdwan district also opposed my opposition merely because some money was being spent on their district. The Hon'ble Member has been to the site himself and he must have realised the extraordinarily wasteful expenditure on the Damodar Canal. He must also have realised that the project is unnecessary and useless, and will soon become a project like the Midnapore Eden Canals, namely, with increasing expenditure and diminishing returns. This project was foisted on us when the Council definitely put its foot down on the Grand Trunk Canal scheme and not even the intervention of Mr. Harris from Simla in support of Mr. Adams-Williams in Calcutta could induce us to alter our views. Now I put this forward before the Hon'ble Member as an example that, particularly in irrigation matters which are so vital to the people, the non-official members know more with regard to the needs of Bengal than such officials who are out to justify their existence by launching on new projects involving considerable expenditure, and by placing extravagant orders for machinery in foreign countries. I realise that the Hon'ble Member is doing his level best; I even realise that he takes no pride in being designated Admiral of the Dredger Fleet, but that he is positively ashamed of it. I realise that he must have amassed considerable knowledge with regard to the details of his department; I even know that he pays far more attention to non-official views than has ever been done by a department of Government. I also feel that he is at present on the brink of considerable reforms in his department. Nevertheless, I cannot help suggesting to him that non-official opinion in regard to irrigation matters ought to be consulted whenever possible. I am afraid that the Hon'ble Member has not been very clear in his enunciation of

a general policy. It is possible that he places his trust in the Waterways Bill and he hopes that those charged with its working will be able to formulate a comprehensive policy and he does not wish to anticipate them. This of course will very largely depend upon the powers which the trustees of the Bill are entrusted with. I cannot, however, pass this by without bringing to the notice of the Hon'ble Member that we shall not be satisfied with any policy which does not conform to the principles laid down by the late Sir William Willcocks. It is regrettable that the Government did not think it fit to avail itself of his services when his services were available. I realise that the Hon'ble Member was labouring under difficulties. The mist and fog in which the department had been kept surrounded by the late Chief Engineer had not been completely dispelled, and the Hon'ble Member could not muster up sufficient courage to accept our demands and request Sir William Willcocks to work out his scheme. Nevertheless the correspondence between him and Mr. Adams-Williams, his replies to the criticisms of the late Chief Engineer and the constructive suggestions that he has put forward, for which correspondence I must admit the Hon'ble Member was largely responsible, are bound to be useful in the formulation of a future policy.

Smaller projects here and there remain to be done. Except those that are absolutely urgent and necessary we hope that they will not be undertaken unless a comprehensive policy is laid down which should be on some such lines as this: namely, the reclamation of those canals and rivers which have to-day been encroached upon for cultivation purposes, to throw open the spill areas and break down the embankments, to permit the red river water to flow through all the ancient channels, to keep in mind the natural drainage of the country whenever new projects are taken up, and to scrap all such projects and all such schemes as defy the above principles. I hope that the Waterways Bill that will be introduced by the Hon'ble Member will give sufficient scope to its trustees to do something really useful for irrigation in Bengal and will not merely be a sort of administering body to perpetuate the blunders of the past.

Before I sit down I do wish to congratulate the Hon'ble Member on his real desire to effect reforms in his department, and for the manner in which he has been able to rescue it from the rut into which it had fallen.

MR. NARENDRA KUMAR BASU: Speaking on this motion which is intended to raise a discussion on the policy of the Irrigation Department, I find myself in rather a difficult position. It seems that so far as the Hon'ble Member is concerned he has been painting himself

and his activities in the Council in two rather contradictory colours. In the first picture we find the Hon'ble Member actually groaning under the load of past misdeeds and inactivities of the previous governments and he is trying as best as he could to disentangle himself from the miles of redtape which threaten to strangle him. In the second picture he has placed before the House he has portrayed himself as a Hercules trying to clear not the Augean stable but the irrigation stable.. However, even though the Hon'ble Member gave us a reiteration of the assertion that he is going back upon the policy of his predecessors and if he did so I would be the first to congratulate him, but even so we on this side of the House were not able to catch whether the Hon'ble Member has a definite policy of his own and if he has, what that policy is. The House is aware that the Hon'ble Member has been in office for four years now and that very shortly, within a year, of his assuming office the Bengal Irrigation Department Committee submitted its report. I shall not weary the members of this House by reading long extracts from that report but there are two or three passages which I would like to place before the members of this House. In paragraph 32 of that report they say "it is hardly too much to say that most of the province is at present an unknown land to the department." In paragraph 33 they say "no data exist in most of the province to show whether or not extension of irrigation is technically or economically possible." Regarding the embankments they say "it is doubtful whether there is any more serious or difficult problem in the whole realm of civil engineering than that which is presented by a deltaic country, the rivers of which have by the construction of embankments been robbed of the possibility of discharging their natural function of land formation." Again they go on to say "any policy directed towards holding the embankments intact merely has the effect of passing it in a magnified form to the next generation." In paragraph 38 they say "the most serious problem is that presented by the dead and dying rivers of central Bengal especially in the Nadia, Murshidabad, Jessore and Khulna districts" and then in paragraph 39 they say "It would, we consider, materially advance the cause of drainage work in the province and clear away any misconception which may still exist, were Government, in consultation with their advisers on hydraulic and public health questions, to revise their resolution and formulate a definite policy to be followed in the future." I shall not go on multiplying quotations from that report but the House is aware that in that report they said that hydraulic survey of rivers and of the districts was the one thing needed to give a new orientation to the irrigation policy of the Government, which more than anything else would save Bengal from being dead and dead of malaria and want of water. I would like to know what steps within the last three years have been taken by the Hon'ble Member to have a hydraulic survey of the districts and of the Nadia rivers taken. The Hopkyns Committee reported, as I have

said on the 19th March, 1930, almost three years to a day to-day, and we are now in March, 1933, and the Hon'ble Member is fast approaching the time when the natural tenure of his office will end. But excepting stating that the Hon'ble Member has a policy I am afraid the House does not yet know what that policy is. Bengal is in a dangerous position to-day and that dangerous position is due mostly to the embankments on the Damodar and other banks and also the choking up of waterways. It is all very well to say that a Waterways Bill will be introduced in the near future but from what we have seen it will probably be years and years before the Waterways Trust, if it is ever created, will begin to work or will have enough funds to get to work.

Then, I do not want to call them white elephants—for I do not want to use that hackneyed expression, I will speak about the dredgers. What has the Hon'ble Member decided about them? We are still waiting to hear his policy about the dredgers. I was told in reply to an interruption yesterday that we were going to have an adumbration of the policy regarding the dredgers but this could not be done on account of the guillotine. However I hope that before this discussion ends we will hear something about the dredgers, whether they have really been taken to the Bay of Bengal and sunk there, or whether they are going to be dismantled, or what is going to be done with them. It has been pointed out by the previous speaker that these dredgers were probably purchased at a very high price in the days of yore. I do not know whether Mr. Suhrawardy said that it was the policy of the officers of those days to purchase things in the highest market but he very nearly said that. I think that the interest charge is, as the House is aware, a very considerable sum and makes a considerable inroad upon the poor finances of this province. I hope the Hon'ble Member has a definite policy with regard to the disposal of these dredgers. When we hear that the Hon'ble Member has a definite policy regarding this matter I shall be the first person to congratulate him. But he has not done that. And I submit that mere complaining of the misdeeds of his predecessors and saying that he is going to have a Waterways Trust in the near future is not enough.

There is just one other question which we are forgetting, namely, about the water-hyacinth. Members of the Council are aware how, so far as water-hyacinth is concerned, they are driven from post to pillar and pillar to post. If we inquire about this mater in the Irrigation Department they say "it is no business of ours, go to the Agricultural Department," but when we go to the Agricultural Department that department directs us again to the Irrigation Department; so between the father-in-law and the son-in-law we see that water-hyacinth goes on merrily choking up the rivers of Bengal while both of them go on merrily drawing their salaries.

Maulvi ABUL KASEM: The Irrigation budget has been discussed and criticised by much abler men on both sides of the House. I stand here to-day to place some grievances of the unfortunate people of the Burdwan Division before the House. They are in the first place small in number and they are therefore neglected and despised. But I submit, Sir, that even a minority can have grievances and those grievances may be worthy of consideration by this House. What we complain of is, as has been referred to by my friend, Mr. N. K. Basu, that on account of the embankments on the Damodar and of the Hooghly, which embankments were raised in the interest of the indigo planters of old, the rivers have silted up and the rivers being hill fed rivers they occasionally get floods which wash away their crops and in some cases destroy their land and make them unfit for cultivation. In the second place in most parts of the division where we have no water for irrigation we suffer from drought and if the rain fails on some occasions for a month or so, all our crops go. Sir, the rains were never regulated at any time by either the Government of India or by the Government of Bengal. That has never been done since the days of old. I have no experience, at least I cannot speak with authority about other parts of the country, but in the Burdwan Division there are thousands and millions of irrigation tanks or what are called irrigation channels, such as Khari, Behula, etc., and other rivers, whose number is altogether 18. Whether they are natural or artificial, made during the days of Mogul rule or during the last days of Hindu rule, I do not know. Sir, but the fact remains that the rivers there are all silting up and do not serve the purpose for which they were intended. Sir, yesterday Khan Bahadur Azizul Haque complained that a good deal of money was spent on the Eden canal, the revenue from which does not meet even the interest charges paid on it. It was also said that the Damodar canal was a white elephant, if I may call it so, because it is a most costly affair and cannot also meet the interest charges paid on this account. But I submit that the Damodar canal and the Eden canal were intended for the purpose of irrigation and the Damodar canal, so far as I know, was only a compromise between two schemes. It was on a resolution moved by me that the Government decided to have a catchment area on the Damodar where water was to be stored and from which water was to be let out from time to time. But after that came the Montagu-Chelmsford Reforms and the Government of Bengal said that they had no money to undertake that and the next best thing they did was to open the canal to prevent floods as well as for the purpose of irrigation. It is true no doubt that the revenue does not meet the interest charges but there are two reasons for that. The first reason is that water is not always available either in the Eden canal or elsewhere. Secondly, the charges are very high and so very few people can take advantage of the canal. The rates have been now raised from five annas to eighteen annas. My chief complaint is that the water

channels, whether artificial or natural, have been all allowed to silt up and for what reason? The reasons are that all these water-falls formerly fell into the Ganges but this has now been stopped by the Government in order to protect the port of Calcutta, because the sands that pass through these water channels from the hills get deposited in the Hooghly and therefore block the port of Calcutta. Sir, the Calcutta Port Commissioners are a rich body or at least they should be so. They have got resources in their posession and they ought to make necessary arrangements to dredge the Hooghly from Matla to Chinsura, or whatever may be necessary for the purpose of their port. Certainly there is no reason that in order to give facilities to people living on the other side of the Ganges the people of the Burdwan Division should be sacrificed.

Agriculture is the only means of living of the people and the only means of revenue to the Government as well. That is to be neglected and why? Because the port of Calcutta has to be protected and because the Commissioners for the Port of Calcutta want it. Sir, it is the duty of the State to see that our old water-channels are re-excavated and their mouths are opened so that there may be free flow of water for the purpose of irrigation and drainage of rain water. We have been told, Sir, in a patronising way by those in authority that our population is very thin and so we are a negligible people, we are not large in number. I submit, Sir, our population was at one time the thickest in the whole of British India. Now, why has it become thinly populated? Because, Sir, you allowed us to die of malaria, because you have closed our water channels, because of the railway embankments, because of the embankments near the mouth of the Ganges and other rivers. Therefore it is you who have turned our place into a breeding place for malaria; you have made our place water-logged: our drainage system has become defective on account of your action; and on account of the want of irrigation we are not getting sufficient food: Sir, these are the reasons why our population has become thin.

True it is, Sir, Government have spent some money on the Damodar and Eden canals for our benefit, but I want to remind the House and remind the members of the Treasury Bench that we may be illiterate, we may be poor and negligible and thinly populated, but at the same time we are the pay-masters of Bengal: we pay more revenue than any other division in Bengal. Burdwan Division, Sir, pays to the tune of Rs. 31 lakhs as revenue, whereas the most thickly populated, most prosperous, intelligent and cultured Dacca Division, Faridpur, Barisal and Mymensingh, rich and prosperous places, they all, combined, pay Rs. 26 lakhs only. We are the main-stay,—the pillar of the provincial revenues of Bengal. In the old days we had our water channels, we had our good drainage system and sanitary condition: our agriculture was prosperous. But those days are gone and why? Because you

are not only doing nothing for us but also obstructing the means of irrigation which existed before the advent of the British rule. This is double wrong under which we are suffering. Mr. N. K. Basu has said "If you go to the Irrigation Department for anything they will say it is the business of the Agriculture Department and if you go to the Agriculture Department they will say it is the business of the Irrigation Department." I do not know where to go, from post to pillar, from father to son or from son to father. We are absolutely laymen and we do not move in the higher circles; but what I submit is that our agriculture and sanitation require irrigation and proper drainage of rain water and at the same time immunity from floods.

Then, Sir, there is another member, the Hon'ble Mr. Bijoy Prasad Singh Roy. He in his speech the other day said "we are making arrangements for the eradication of malaria from the Burdwan Division" and for this he was charged with parochialism by somebody who said that he was going to start experiments in his own native place, the Burdwan Division. Whatever it may be, I submit, any amount of quinine distribution in the country or any amount of lecture on sanitation and experiments on mosquito will not help much, unless you make necessary arrangements for the drainage of rain water as well as irrigation of our *bils*.

Sir, Burdwan was not so malarious as it is now. It has become so, because you have made it so. You have made us suffer from malaria and die of it. And now you tell us to our face that we are thinly populated.

Sir, Lt.-Col. Frank Mullen once went to Burdwan and visited the village of Purbastan there. Now, after examining the whole place and the waterways and irrigation system there he stated to the Assistant Surgeon, his assistant, "I can assure you there will not be a single case of malaria in this part of the country after 20 years." The Assistant Surgeon being his subordinate, was rather nervous about his statement and asked him what data he had for saying so. He replied that 20 years hence there would not be a single person living and there would be none to suffer.

To-day we are thinly populated, 10 years hence we will die of malaria unless and until some immediate steps are taken to make the place worth living: under the new Government our position may be still worse. Then, it is said that the Damodar in the Burdwan Division has full flow. But, Sir, it is very spasmodical. When there is heavy rain we get heavy flood, but otherwise we do not get any water at all. As regards the other rivers, Kana, Ajoy and Kausya, at times there too you do not get a glass of drinking water but at other times you get heavy floods. These are the actual state of things. Under the circumstances we are very poor and we are helpless, although the bulk of the revenue of the province is derived from our division.

My request, Sir, is that something should be done for the improvement of our agriculture, whether it is the duty of the Irrigation Department to do so or of the Agriculture Department, whether it is the duty of the father or the son, it does not matter in the least. What we are concerned with is that the Government of Bengal as a whole should do something for our dead rivers.

Sir, much has been talked about making the rivers navigable; but nothing practical has been done. We want our waterways cleared up, so that there will be continuous flow of water. As regards the canals that have been made by Government, the Damodar and the Eden canals, something should be done to make them popular by decreasing the tax. You might say that even with increased fees you cannot supply the needs of the people, how can you then decrease the fees; But if you can provide sufficient water for irrigation purposes it will fetch greater income even if you decrease the fees.

Some people of the Burdwan Division approached the Hon'ble Member in charge of Irrigation and said that they were prepared to have irrigation channels at their own cost if they were exempted from the payment of irrigation taxes to Government. But the answer was that they might have water channels made at their own cost, but they would have to pay the usual rates to Government as at present. This is a fair judgment indeed: after however a good deal of entreaty that some rebates might be granted to them for this, he said that he would consider the matter.

I suggest, Sir, there ought to be sluice gates all over the river Damodar and proper drainage arrangements should be provided in the Banka, Kana and other water channels so that these rivers and channels could be tackled for irrigation purposes. I appeal to the Hon'ble Member that something should be done and done immediately, as I am afraid that we will not get a hearing from this House or from Government when the new constitution comes into force. So if anything is to be done, it should be done within these 12 months.

Maulvi TAMIZUDDIN KHAN: On a point of order, Sir, will the Hon'ble Member-in-charge have the right of a second speech?

Mr. PRESIDENT: No.

Mr. K. C. RAY CHOWDHURY: Sir, if the acts and rules had permitted, I should have liked to have moved an adjournment of the House to consider the White Paper in order to celebrate the conferment of real *Swaraj* upon India. Any way, I must revert to the humdrum subject of irrigation. We have had criticisms made in this House year after year; but at the same time we have never heard any constructive suggestions from these lawyer politicians. They have been discussing

all this time the controversy between Wilcocks and Addams-Williams, they have been talking about the Hopkyns' Committee, about the utility of this scheme and that scheme, but up till now we have not heard any constructive proposal which would be of help to the department. (Mr. N. K. BASU: Turn so deaf as will not hear.) They do not seem to realise the importance of keeping the navigation channels open and they forget that they provide employment for hundreds of our men. These navigation channels bring to Calcutta things much cheaper in price and they enable a large body of workers to be employed. Apart from that they do not realise that the levy of fees of ·77 pie per maund in these channels as against two annas per maund in the canals raises a sufficient amount for the maintenance and upkeep of the channels as well as provides employment for hundreds of our people. We have heard all these times about these white elephants, I mean the dredgers. I have also heard here that these dredgers will be disposed of but they cannot be disposed of because buyers cannot be found. Some politicians suggested that because they cannot be disposed of they should be sunk in the Bay of Bengal. Thirty-five lakhs of rupees a year for irrigation of this vast province is very inadequate indeed. Many of the commercial bodies in India spend more than 35 lakhs of rupees as development expenses. This is the time for spending money on works when there is so much unemployment in the country. The Government could borrow lakhs of rupees and they can get money at a very cheap rate of interest. This is the time to spend money, to spend on irrigation and thereby solve a good deal of the unemployment problem of our industrial workers. The Government have got excellent credit. Let them borrow five crores and spend them on canals and constructions and this is the time when you can buy your materials cheap. This is the most opportune time for countering the economic stagnation of our country. And this is not the time to retrench and reduce and thereby compass the economic ruin of the country.

Mr. J. N. GUPTA: Sir, at this late hour of the day it is not my object either to adversely criticise the policy followed by the Hon'ble Member-in-charge or to defend the policy he has pursued. There cannot be any doubt in the mind of any impartial member of this House that he has given his considered attention to the improvement of his department and that he has to his credit a very substantial record of very useful work. It is not my intention to go into those aspects of the question which have been already discussed from different points of view by hon'ble members on the floor of this House. I only want to say one or two words about the special needs of the different parts of Bengal, as I happen to have some knowledge of the special requirements of the different parts of this province. Sir, why is it that we all attach great importance to the proposed Waterways Bill and to the establishment of the Waterways Board? It is because we want that the

activities of this department should be to a much greater extent centred on the functions for which it was created, namely, improving the irrigation facilities of the province, and the activities of the waterways department, however important and useful they may be for the province, should be taken over by those who are mainly interested in that sphere of the administration of this department. If we are to devote our main attention to irrigation, I say that the claims of western Bengal and central Bengal to the activities of this department are so apparent that to run down those small schemes which have already been initiated, namely, the Eden canal and the Damodar canal, is betraying great want of insight and great want of impartial attention to the special needs of this part of the province. We should all agree with what my friend Maulvi Abul Kasem has said about the urgent needs of the Burdwan Division and western Bengal. It was one of the most fertile and flourishing parts in the whole of India and Bernier and after him Hamilton have described it as the garden of India. It took the first place in the whole of India, Tanjore in southern India taking the second place. How sadly changed, impoverished and malaria-ridden is its condition now is known to all of us. Therefore, all the revenues that will be set apart after the Waterways Board has been created should be devoted chiefly to resuscitating and reviving this part of Bengal. It is true that the Damodar canal does not function as effectively as it might have done, if the technical defects which were pointed out by Dr. Bentley had been avoided. What the canal really suffers from is the want of a reservoir, a place where the water could have been stored, so that it could have been fed all through the year. A very thorough scheme had been prepared by Mr. Glass who was placed on special duty but for want of funds that scheme had to be abandoned, and we did what was possible under the financial conditions of the province. There is no reason, therefore, for running down this scheme, perhaps the most important which the Irrigation Department has up to date taken up. If the Irrigation Department is to justify its name and its existence, far from giving up or in any way curtailing its activities on these and similar schemes, the mistakes that are now found should be rectified and the schemes amplified and further developed, so that larger and larger areas can be irrigated from these canals and the rates charged may be simultaneously lowered.

Sir, it is not my intention to take up any time of the House, in discussing the water-hyacinth pest because we are all familiar with this problem and we all know that eradication of the water-hyacinth pest is one of the most important subjects to which the attention of the Irrigation Department should be directed. I may, however, observe in this connection that it is the intention of some private members of this House to bring up the Bill again which was before the House some years ago and I do hope that when the time comes that Bill will receive the support which it deserves. I again fully admit that much

has already been done by the Hon'ble Member, and I do hope that when he lays down the reins of office the Waterways Bill will have made much progress and something will also have been done in connection with the water-hyacinth trouble and further, that he would lay down lines of policy with regard to irrigation schemes proper such as the Eden canal and the Damodar canal, so that such schemes should be developed more and more as the resources of the department become greater and ampler.

Rai Bahadur KESHAB CHANDRA BANERJI: Sir, not having listened to the debate that took place yesterday, I am at a considerable disadvantage to speak on this motion. From the trend of the discussion that has taken place on the policy of the department over which the Hon'ble Alhadj Sir Abdelkerim Ghuznavi presides, it appears that great dissatisfaction prevails in the country regarding the working of this department. I wish to make it perfectly clear at the outset that I do not hold any brief for the Hon'ble Member. Sir, I yield to none in my desire for the reorganisation and improvement of the department for which there is ample scope; but one thing I can say, and that from my personal knowledge, that the Hon'ble Member has taken great pains recently in reorganising the department and the schemes which were so long rotting in the musty archives of the Bengal Secretariat have been receiving his earnest attention. One of these schemes is the canalisation of the Dolai khal in which we Dacca people are vitally interested. At our request, the Hon'ble Member has taken the matter up in right earnest and sent the Chief Engineer and other officers of the department to Dacca to survey the possibilities of financing the scheme at a cost of about Rs. 10 lakhs. If there were sufficient funds at the disposal of Government and if there was some possibility of repayment of loan from the income from toll, I am sure the irrigation authorities would not have been indifferent in the matter. Maulvi Abul Kasem has referred to Dacca Division. As one hailing from an important district in the Dacca Division I can say that Dacca and Mymensingh have been more neglected than the Burdwan Division from which the redoubtable Maulvi Saheb comes. Although bandalling operations have been carried out in my district from time to time, appreciable results have not been obtained. This is evidently due to the absence of any method or system in the working of this department, but I cannot see how we can blame Sir Abdelkerim Ghuznavi for the many acts of omission and commission for which evidently his predecessors in office were responsible. Sir, with regard to the question of water-hyacinth, I do not know what reply the Hon'ble Member has given to the debate as I was not present at that moment, but if I remember aright, it was pointed out on a previous occasion that the question would be taken up by the Waterways Board for which legislation would be undertaken in the near future. My only appeal to the Hon'ble Member is that, having

regard to the strong volume of public opinion against the working of the department, he should take immediate steps to reorganise the department and do something tangible which will set at rest all criticisms against it. Sir, much has been said with regard to the dredgers. The dredgers were purchased long before the Hon'ble Sir Abdelkerim came into office and as a Member of the Irrigation Committee I can say with some amount of personal knowledge that the matter has been receiving the serious attention of Government and there is a proposal to dispose of these dredgers as early as possible. Sir, I do not think any useful purpose will be served at the fag end of the lifetime of this Council to indulge in criticisms against the department which we have been accustomed to hear year after year. I hope, however, that the Hon'ble Member will take note of the points urged during the debate and will do something effectively to deal with this important question.

MUNINDRA DEB RAI MAHASAI: Sir, the work of the Irrigation Department consists of irrigation, embankments, navigation and drainage. So far as irrigation is concerned, there are in operation only two canals of any importance, I mean the Midnapore and the Eden canals. The Bakreswar project has just been completed and I think the Damodar canal, an instance of engineering folly is nearing completion. The other branch of the work comprises the maintenance of embankments and of the principal navigation routes, the main works in this section are the Calcutta and Eastern canals, the Hijli tidal canal, the Orissa Coast canal and the Midnapore Bil route. To-day I am not going to discuss about these navigation routes, embankments and drainages. I only want to discuss the achievements of the department in the irrigation section. Sir, recently I had occasion to run about the countryside of my district up to the borderland of Bankura and Midnapore in company with my esteemed friends, Mr. S. N. Mallik, C.I.E., Mr. J. N. Basu and Mr. Tarak Nath Mukherji, Chairman of the Hooghly District Board. We had to cross over a dozen rivers and rivulets during our excursion excepting the Mundeswari river which we had to cross by boat, the others were crossed by motor car. The mighty rivers the Damodar and the Dwarakeswar appeared to be sandy deserts with streaks of water here and there. The majority of the inhabitants we met with in the scattered villages were stricken with malaria and kala-azar. Some of the children with their enlarged spleens, sunken eyes and drooping mien excited our curiosity to make inquiries about them. They were splendid specimens of deformed humanity. The local people were physically unfit to work in the fields and we met with in our way batches of nomadic Sonthal families out for work. May I ask, Sir, who is responsible for the dead and dying rivers and rivulets and the degeneration of the soil and the people? I think I am justified in holding the Irrigation Department mainly responsible for this deplorable state of things. The Government have done absolutely nothing

to save the waterways of Western Bengal. May I name some of the rivers in my district which have dried up during British administration and not a finger was raised to save them? The Hooghly, the Damodar and the Dwarakeswar are the main arteries of the district having innumerable veins or tributaries which served among others the purpose of irrigation in the countryside. I have already referred to the desert-like appearance of the Damodar and the Dwarakeswar and there was no wonder that when the sources of supply were dry, the rivers and rivulets which depended on them for supply of water would also get dry. Due to criminal negligence and indifference on the part of the Government, rivers like the Saraswati which played an important part in the history of Bengal, the Kana Nadi, the Behula, the Kunti, the Kausaki, the Kana Damodar, the Kana Dwarakeswar, the Sankara, the Jhumjhumi, the Amodar, the Tarajuli, the Madaria and dozens of other streams and *khals* have dried up. The old bed of dead rivers which became stagnant pools during the rains and the silting up of river beds which drained the water of the surrounding areas are the principal causes which contribute not only to the notorious unhealthiness of the district, but also help to diminish the productivity of the soil. The country which once smiled with plenty and abundance now wears a desolate appearance. The responsibility lies with the Government.

It was a question of life and death to the people and should not be trifled with. Law and order and free distribution of quine cannot save a nation.

Our Government know only these remedies and none others appeal to them. We are crying ourselves hoarse during these few years in this Council for the resuscitation of the dead and dying rivers of West Bengal, but they have fallen on deaf ears. Government will not care to listen to our humble appeals. They will have everything in their own way. Their administrative caravan will pass on merrily riding roughshod over the emaciated people. Government has miserably failed to justify itself in West Bengal, it has failed to perform its primary duties, it has signally failed to keep the districts alive. By their criminal negligence they have turned smiling villages which once enjoyed health and wealth in abundance into fever-stricken and pestilential areas. Lack of funds is no valid excuse. You may not find money out of ordinary revenues. But money can be had if a loan is floated. A few crores is nothing to save a nation from death and desolation. Sir William Wilcocks is dead but his scheme is there. Our Irrigation Member may belittle the scheme as having emanated from a *Padri*, but the whole country hailed the *Padri* as their saviour. The principles laid down by him were neither irrational nor impractical. He was not an idealist but a practical man. The remedy which he suggested was of a practical nature. The sum and substance of his proposition was that the red rich water of the river must combine with the flood

water to spread over the land, and then run back along its different channels, keeping the rivers well scoured and the surrounding areas healthy and fertile with newly deposited silt. If the scheme be framed on these lines and immediate action is taken thereon, Bengal will once again become a flourishing country with abundance of wealth and health which have left it for nearly a century. The Government of the United Provinces raised a loan a few years ago for the Sarda land and Hydro-Electric Scheme and it is now a paying proposition. Irrigation works under the Northern India Canal and Drainage Act of 1873 have done much for the irrigation of the Punjab but I am sorry the work hitherto done by the Irrigation Department in this province is negligible. Last year on a similar occasion I asked the Irrigation Member to leave his cosy seat for a few days and accompany me to some of the villages in West Bengal and I wanted to prove to the hilt every word that I have said. I wanted him to see the true picture with his own eyes. My appeal went in vain. He moved not even by an inch——

(At this stage the time-limit for the discussion of the demand was reached and the member resumed his seat.)

The motion of Dr. Naresh Chandra Sen Gupta was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Banerjee, Babu Jitendralal.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Dr. Jogendra Chandra.
Choudhury, Maulvi Nurul Absar.
Faziullah, Maulvi Muhammad.
Hoque, Khan Bahadur Maulvi Azizul.
Kasem, Maulvi Abdul.
Mahti, Mr. R.
Mookerjee, Mr. Syamaprasad.
Rai Mahasai, Manindra Deb.
Ray Chowdhury, Babu Satish Chandra.
Rout, Babu Hoseni.
Roy, Babu Jitendra Nath.
Samad, Maulvi Abdus.
Singh, Srijut Taj Bahadur.

NOES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.
Austin Mr. J. M.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Sarat Chandra.
Banerji, Rai Bahadur Keshab Chandra.
Barma, Rai Sahib Panchanan.
Bassir Uddin, Khan Sahib Maulvi Muhammad.
Blandy Mr. E. N.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Maulvi Syed Osman Haider.
Chowdhury, Haji Badi Ahmed.
Cohen, Mr. D. J.
Dain, Mr. G. R.
Das, Rai Bahadur Kamini Kumar.
Dey, Rai Bahadur Satyendra Kumar.
Ezaz, Maulvi Nur Rahman Khan.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ganguly, Rai Bahadur, Sasil Kumar.
Ghose, Rai Bahadur Sasanka Sekar.
Ghaznavi, the Hon'ble Alhaj Sir Abdelkarim.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. R.
Gupta, Mr. J. N.
Henderson, Mr. A. G. R.
Hogg, Mr. G. P.
Hooper, Mr. G. G.
Hussain, Maulvi Latafat.
Khan, Khan Bahadur Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razzur Rahman.
Lockhart, Mr. A. R. E.
Mitter, the Hon'ble Sir Provash Chunder.
Mullick, Mr. Mohanda Sahay.
Nag, Babu Suk Lal.
Nag, Reverend B. A.

Nazimuddin, the Hon'ble Mr. Khwaja.
Nilpot, Mr. H. G. V.
Poddar, Mr. Ananda Mohan.
Prentice, the Hon'ble Mr. W. D. R.
Prester, Lt.-Col. A. H.
Quasem, Maulvi Abul.
Rahman, Mr. A. F. M. Abdur-
Ray, Babu Khetter Mohan.
Ray, Babu Nagendra Narayan.
Ray Chowdhury, Mr. K. C.
Reid, Mr. R. N.
Roy, Mr. Saileswar Singh.
Roy, Mr. Sarat Kumar.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Roy Choudhuri, Babu Nem Chandra.
Sahana, Babu Satya Kinkar.
Sarkar, Rai Sahib Hakali Mohan.
Sen, Mr. B. R.
Sen, Rai Sahib Akshoy Kumar.
Stapleton, Mr. H. E.
Steven, Mr. J. W. R.
Suhrawardy, Mr. H. S.
Sumner, Mr. C. R.
Thomson, Mr. W. H.
Townend, Mr. H. P. V.
Wilkinson, Mr. H. R.
Woodhead, the Hon'ble Mr. J. A.
Wordsworth Mr. W. S.

The Ayes being 17 and Noes 65, the motion was lost.

The main demand was then put and agreed to.

20—Interest on other obligations.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,000 be granted for expenditure under the head "20—Interest on other obligations."

The motion was put and agreed to.

22—General Administration.

The Hon'ble Mr. W. D. R. PRENTICE: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 99,40,000 be granted for expenditure under the head "22—General Administration."

As there are so many items which concern so many subjects, I do not intend to make a speech in support of the grant.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 13,000 under the head "22D—Executive Council" be reduced by Rs. 6,500 (reduction in size of Executive Council).

Before I proceed further, may I have your ruling as to whether it would not be more convenient to take up motion No. 266 along with this?

Mr. PRESIDENT: We will take that up later.

Mr. NARENDRA KUMAR BASU: Sir, the arguments in favour of the motion are well known to members of the House and arguments against, if any, are, if I may say so, rather nebulous and obscure. I know that the first objection that may be taken to the acceptance of

the motion is that the number of Executive Councillors is fixed by statute and therefore no amount of resolution or recommendation will be able to remove that. But I submit that if public opinion in this province were taken then I am sure means might be found without much difficulty to reduce the size of the Executive Council.

We are told that the present is a transition age and no effort should be made to cripple the size of the Executive Council. To that my reply is that it does not matter whether we are passing through a transition age or not, but that the mere fact that the province is unable to support four Councillors and is unable to spend so much money over their salary, allowances and concomitant expenditure is quite enough to commend the motion to the acceptance of the House. It is not unknown to members of the House that the revenue of the province of Bombay is just about double that of Bengal and this also is perhaps not unknown to them that the Government of Bombay have in fact reduced the size of their Executive Council. So I do not see any reason why Bengal should not follow suit. The fact that we are passing through a period of transition and the fact that a lot of references has got to be answered by the Members of the Executive Council, that I submit is absolutely no reason in support of the retention of the present number. I think that if the number of Executive Councillors were reduced to two, that would not seriously interfere with the work of the Government of Bengal. As you know, Sir, the Members of Government have got a large army of Secretaries, Deputy Secretaries and Assistant Secretaries and so on and so forth, behind their backs and so it would not do any harm so far as correspondence or reference work is concerned. It may be said that two members are not a sufficient number to carry on the administration. But I submit that no materials have been placed before the House to show that Government cannot go on with two Executive Councillors instead of four as at present. In fact, as I began by saying, the reasons for the retention of the present number are so obscure that it is very difficult to marshal any arguments in opposition to the argument that might be advanced in favour of their omission. The only point that has been placed before the public or before the House is the fact of its being a transition period. That, as I have already submitted, is absolutely no reason. We all know that the machinery of Government moves on whether one or two or four or even eight Executive Councillors do the work; it only means that the more the number of Members of Government the more expensive does it become, and when in a few months' or years' time Bengal will have to do without any Executive Councillor at all, I see no reason why the number of Executive Councillors should not be reduced during this intermediate period. In fact, if what we had all heard, two years or so ago, had come to pass, Bengal would have had no Executive Councillors probably at the present time. Reforms which are going to

bring in the millennium are being put off from day to day and here we are in March, 1933. We had this morning the White Paper presented to us; of course we had no time to study whether it is really white, or black or spotted. However, we do not know when the new constitution, if any, will function but the story that we have been hearing for the last few years is that, being in a transition period we should not touch the Cabinet and the Ministers and that sort of thing. I submit that we have gone on long enough like this and it is time that Bengal should make a definite stand and say we do not want this large number of Executive Councillors. So far as the Retrenchment Committee is concerned they say on page 42 of their report that "the last Retrenchment Committee were of opinion that a cabinet of four, or at the most five, should be sufficient. We think that, in the present circumstances and under the existing constitution, the Governor should be able to carry on the administration of the province with a Cabinet of five. We are not concerned with the number of Members and of Ministers who should form the Cabinet, as the cost will in any case be the same."

Therefore what the Retrenchment Committee recommended in agreement with their predecessor is that the size of the Cabinet should be reduced by two and my submission is that the chief avenue of economy to be explored is whether we cannot reduce the number of Executive Councillors by two, and thereby automatically reduce the cabinet to two and make it consist of 5. It has been agreed on all hands that 7 is quite a large number to have in Bengal. Up till now, Sir, this proposition has been admitted by all except Mr. Shanti Shekhareswar Ray. In fact the arguments in favour of the reduction in the size of the Cabinet in Bengal are so patent to every one that I am absolutely certain that in the non-official benches where Europeans, Muhammadans or Hindus sit, you will hardly find any person who will say that 7 is the proper number for Bengal. Therefore the best suggestion is the one I am making to the House to reduce the Executive Council by two members so that the size of the Cabinet will come to be automatically reduced to 5.

Babu KISHORI MOHAN CHAUDHURI: This matter you will remember, Sir, came before the House when we assembled in this Council under the new reforms and as far as I remember this was the second resolution of that House and my poor self moved it and it was carried by an overwhelming majority, namely, that 4 members of the Executive Council were not necessary and that two would be quite sufficient. As soon as we saw the top-heavy nature of the administration and that the work could be well managed by two we moved and passed the resolution and at that time our information was that Mr. Montagu was himself favourable to this point of view but unfortunately he was

removed from there and nothing could take place. The reason for moving the resolution for the consideration of Government was that the Members had to do work mostly of a routine nature and the finances of the province of Bengal were so very poor, and seeing that on that account no fresh work could be undertaken, this was not the time when we could afford to spend such an unnecessary amount over this head. It may be said that the reduction of the Members to two will yield a saving of only about Rs. 2 lakhs and will not matter in a deficit of over 2 crores. But, Sir, I think we should show that unnecessary expenditure should not be incurred and it must be curtailed if possible. I consider that there is no justification for the retention of four Executive Councillors. The work can very well be managed by two. Besides, as I have said, on account of want of funds at present, no important scheme is now before Government, and so their number can be easily reduced, and I think that the sooner that is done, the better will it be for the Bengal Administration. Reforms may come within a year or so, but whenever they come, if it is really found that four Members are unnecessary, I do not know why they should be all retained. This demand is the demand of this Council; this was also the opinion of two Retrenchment Committees. The first Retrenchment Committee came to this conclusion and the present committee also came to the conclusion that the size of the Cabinet should be confined to two and that more than that number is not necessary. That being the view of the House as well as of the two Retrenchment Committees, I do not know why Government should persist in retaining so many members and incurring so much expenditure. So it is our first duty to raise our voice of protest and submit that this matter should be placed for the consideration of Government and as soon as possible this unnecessary expenditure should be curtailed. With these words I support the motion.

Mr. J. N. GUPTA: In rising to support the motion moved by my friend Mr. Narendra Kumar Basu I want to emphasise very strongly that the prospect of the revenues of this province being enhanced to some extent by our getting a share of the money raised in this province by way of income-tax and our getting a share of the jute duty, should not lull us into a false sense of security as to our future needs and as to the line of action which we must strenuously follow if we want to improve efficiency of the administration as well as attend to the many urgent needs of the province. The underlying root motive of all the cuts that we members on this side of the House have proposed, is the conviction that Bengal cannot afford to carry on its administration on the extravagant scale which we have hitherto followed. And if we are seriously to explore all avenues for retrenchment I do not know that there is any other sphere in which retrenchment can be more appropriately and justly made than in the sphere

of the highly paid, and to our minds, too large a Cabinet, which is at the apex of the whole machinery of the administration.

No serious arguments, as far as I know, have been advanced in support of the position that Bengal must have seven members of the Cabinet to carry on the Government. If Bombay, as has just been pointed out, can cut down its Cabinet to four Members only, why is it quite impossible to carry on in Bengal with even five?

The Hon'ble Mr. W. D. R. PRENTICE: On a point of order, Sir. Did not you rule that the discussion of item No. 266 was not possible under this discussion?

Mr. PRESIDENT: I think Mr. Gupta should confine himself to the Executive Council only.

Mr. J. N. GUPTA: Yes, Sir, I am suggesting that the number of the Executive Councillors should be reduced so that the Cabinet as a whole which also includes the Ministry should be reduced to five.

Mr. PRESIDENT: You should not mix up the two or propose to reduce the numerical strength of the Cabinet, as a whole, including the Ministers.

Mr. J. N. GUPTA: I was laying stress on the necessity of reducing the number of Members of the Executive Council and thereby necessarily the size of the Cabinet. I was going to say that having regard to the many urgent and crying needs of the province it is absolutely necessary that we should cast about and see how we could retrench and how we could retrench substantially and in the appropriate spheres. If we do so, we shall find that retrenchment can be appropriately carried out by reducing the number of the Executive Councillors from four to two. It is asserted that five will be two small a size for the Cabinet for the administration to be carried on efficiently. I was going to point out that it had been found possible in another province, the revenue resources of which were far larger than ours and there has not been in that province any loss of efficiency as far as we are aware.

Mr. PRESIDENT: I quite understand your point, but for our present purpose you should endeavour to show what reduction is possible in the Executive Council and whether the work done by the Executive Councillors could be carried on if their number was reduced.

Mr. J. N. GUPTA: The obvious answer to my plea for referring to the Ministers is that the only way by which a reduction in the number of Executive Councillors could be effected would be by showing that even under the Government of India Act, as it stands, it is possible to

transfer most of the work now done by the Members of the Executive Council to the Ministers, thus enabling us to reduce the number of the Executive Councillors without overloading the remaining members with too much work. Even if we get an increase in our revenues as is envisaged by the White Paper, that is no reason why we should allow ourselves to be lulled into a false sense of security. Time is fast coming when the resources of the State will have to be devoted mainly to the building of the nation. For that purpose we must retrench somewhere. Now, where is the extra money to come from for the improvement of the nation-building departments? We should explore avenues where retrenchment is possible and desirable. As pointed out by hon'ble members who have already spoken, the two Retrenchment Committees which have already sat—very able Retrenchment Committees, in one of which we had a shrewd and capable business magnet as chairman and in the other an experienced member of the Civil Service, both recommended that for the work in Bengal the present size of the Cabinet was too large and it could be very suitably reduced in size. Therefore we can with great propriety refer to the united opinion of the two Retrenchment Committees and to the opinions that have been expressed on the floor of this House by every group, times without number. We want to see a practical and resolute beginning made and we can think of no other appropriate sphere where that beginning can be made than by cutting down the size of the Cabinet. That will not take away the prestige of this province, because a sister province has already done this. Even if there had been no example, it was high time that our Government should set an example. Far from losing prestige our prestige will go up in the estimation of all right-thinking men for having had the courage to do our duty regardless of all personal considerations. It is idle to argue that the Local Government is not competent to take action in this matter; surely they can recommend to the proper authorities. Sir, we are on the threshold of momentous changes when there will be a change not only in the form of Government but in the spirit and motives which lie behind the activities of Government. Sir, why not have the saving grace to show to the world that we are not blind to the portents of the times. Therefore, I strongly urge that every group of this House should support the motion and urge on Government that they should lose no time in taking proper steps for reducing the size of the Cabinet. This can be done without in any way inconveniencing the present incumbents or dislocating the work of administration. I therefore very strongly support the motion.

Mr. C. G. COOPER: Sir, we are unable to support this motion, because in our opinion it is entirely fruitless. The issue is so narrowly confined that we feel it impossible to open any general discussion. For this reason we oppose the motion.

Mr. SHANTI SHEKHARESWAR RAY: Sir, this is not a new question. A similar motion was brought last year and I opposed the suggestion then and I also oppose the motion this year. I do not believe in the reduction of the number of Members of the Cabinet. Those who say or suggest that by such reduction the finances of the province will be in any way benefited, perhaps exaggerate things; but apart from any question of economy, the point that has to be considered is whether by such reduction the administration will improve. I have grave doubts on that point. (VOICE: it is not a question of administration but economy.) Well, a friend suggests that it is more a question of economy than of administration. I ask what amount you want to save by this, perhaps a lakh or two. Can it make any impression on the administration? If you are serious about economy, you should not concentrate on the reduction of number, but you should concentrate on stopping wastage in the administration. Sometimes schemes are taken up which are more or less useless and which cost the administration thousands or even lakhs of rupees. I am sure, Sir, that the contention of Mr. N. K. Basu that his motion has the support of all groups in this Council, is not correct. Already an opposition has come from the European members and I am sure the suggestion will be opposed by the *zamindar* group in the Council, because we want that the *zamindars'* interest should be represented in the administration of the country. I think if you reduce the number of the Executive Councillors, the first man that will go will be Sir P. C. Mitter. Well, he was the *zamindars'* representative in the Council for a long time and we may look upon him, although he is at present not a party man being now a member of Government, to represent the interest of the *zamindars* in the administration of the country. I do not like to adduce the same reasons year after year and I gave my reasons last year. I shall however repeat one, namely, that the administration should be representative not only of the various interests, but the administration should also consist of members with experience of the different parts of the province. The real function of the Members of the Executive Council is not merely to sign the orders on the files put up before them, but it is their duty to advise His Excellency the Governor on the different problems of the administration. The Governor comes from a distant land with practically no knowledge or experience of the province which he has to rule. He should have at his disposal an adequate number of persons who may tender him advice on various questions. If he has got only a couple of Members of the Executive Council to advise him, it may be that all view points may not be placed before him. (Mr. N. K. BASU: Have 50 then.) Well, Sir, if you want economy you may reduce their pay. Reduce the pay of the Members of the Cabinet all round. But those who cry for reduction in number, I think, are not well advised in raising such a cry. Sir, it is my

humble view that if the Government are serious in their desire of associating Indians, the children of the soil, with the administration of the country, there should be not only the present number of Members on the Executive Council, but they should take further steps in accordance with the existing Government of India Act to appoint Council Secretaries from among the non-official members of this Council, so as to enable the members of this Council to get a training in the art of administration.

Well, Sir, what happens now——

Mr. PRESIDENT: That is a different matter altogether. We are not discussing that matter now.

Mr. SHANTI SHEKHARESWAR RAY: I am mentioning it in passing.

Mr. PRESIDENT: That will not serve any useful purpose, so far as the motion under discussion goes.

Mr. SHANTI SHEKHARESWAR RAY: I think I need not speak further on the subject. What I have got to say I said last year and I think the matter should now be put to vote.

Rai Bahadur KESHAB CHANDRA BANERJI: I have known since my childhood that there are seven wonders in this world but I now find that there are eight wonders of which my friend Mr. Shanti Shekhareswar Ray is one. The speech which he has just made on this important motion is grossly inconsistent with his previous utterances on similar questions. To-day he has waxed eloquent on the interest of the *zamindars* and has shown great solicitude for their welfare, but it was on many occasions that we found him in a different mood, ready to take up cudgels against the *zamindars*—a community to which he himself belongs.

Mr. PRESIDENT: You need not go into that.

Rai Bahadur KESHAB CHANDRA BANERJI: Sir, I am simply pointing out his inconsistencies. The question before the House is not a new one. It has been debated times without number. Since the introduction of the Montford Reforms, the question of reduction in the number of Executive Councillors has been the subject-matter for discussion almost every year. The motion moved by my friend Narendra Kumar Basu is purely an economic cut. We are not concerned as to which of the four Executive Councillors should go but the question is a vital one to the province so far as the finances of Bengal are concerned. Moreover, the Retrenchment Committee of

1922 raised a very pertinent issue and suggested that the number of Executive Councillors should be reduced. The last Retrenchment Committee presided over by Mr. Swan has also approved of the proposal. If the Government are not willing to reduce expenditure on the lines suggested, I do not see what useful purpose is served by forming such committees whose advice is not fully acted upon. It was only the other day that the Hon'ble the Finance Member painted a very gloomy picture of the province so far as its financial position was concerned but it appears that the Government are not at all willing to augment the resources of the province by effecting a reduction in their current expenditure. Although the amount of savings would not be several lakhs or crores, yet whatever it might be, it would go a great way towards effecting improvements in the nation-building departments which have so far been starved and starved hopelessly. With these few words, I support the motion and I hope the Hon'ble Member will give us an assurance that the question will be favourably considered by Government.

Rai Bahadur JOGESH CHANDRA SEN: Sir, when I put my proposition before the House I am afraid I may be called a reactionary. If it be the idea to run the administration in a stereotyped way, then certainly the size of the Cabinet can be reduced. But if you want your Ministers and Members not only to clear files from morning till evening but also expect them to come forward with constructive schemes and ideas which would do real good to the province, then you must give them time to think and do this work. From that point of view I cannot favour the idea of reducing the size of the Cabinet.

I am in charge of a district board and I expect other members who are in charge of other district boards will support me. There are 26 such district boards in Bengal with an average income ranging from 3 to 12 lakhs. For 26 district boards there are 26 chairmen and 26 vice-chairmen; and 26 more to be added. It is with difficulty that the work is being carried on. The chairmen of district boards are overworked; they have no time to think of any constructive scheme and are always busy in clearing files. If you want really good work, then do not reduce the size of the Cabinet. You can reduce their pay in the new Council. In the name of financial crisis, we must not sacrifice efficiency. If you want to reduce the expenditure, cut down, if you can, the Police grant as much as could be done and let the same be spent for the nation-building departments.

MUNINDRA DEB RAI MAHASAI: Sir, in spite of the arguments advanced by my friend Mr. Shanti Shekhareswar Ray in favour of the retention of the present number in the Cabinet, I support the motion of Mr. Basu.

The present Government consist of the Governor, four Members of the Council and three Ministers. The Retrenchment Committee of 1922 were of opinion that a Cabinet of four, or at the most five, should be sufficient. The Swan Committee of 1932 held that in the present circumstances and under the existing constitution the Governor should be able to carry on the administration of the province with a Cabinet of five. Although this House has got no control over the irremovable executive, yet it has the power to express its opinion on the subject. Without indulging in personalities it can be safely asserted that the number is unwieldy and is capable of reduction. Bombay has done it and I do not know why Bengal should not follow the lead given by Bombay.

Babu JITENDRALAL BANNERJEE: Sir, on a point of order. Is the Hon'ble Member-in-charge entitled to read newspapers in the Council?

Mr. PRESIDENT: No, unless he is collecting, as I am told, informations for the purposes of the present debate in which he shall have to participate.

Babu JITENDRALAL BANNERJEE: Apart from the point of view of collecting information, is it desirable that he should not be listening to the member who is speaking? He is missing valuable arguments. (Laughter.)

MUNINDRA DEB RAI MAHASAI: If the Cabinet be reshuffled and the portfolios be redistributed, I think there would be no loss of prestige or of efficiency in the administration. The portfolios of Emigration, Immigration, Jurisdiction and Haj Pilgrimage, Ecclesiastical, Hazaribagh Reformatory School and Regulation of Medical and other professional qualifications and standards, subject to legislation by the Indian Legislature, Land Acquisition and Excluded Areas can very well be left to Secretaries for disposal. Two Executive Councillors would be enough for Bengal. The financial condition of Bengal does not justify the luxury of maintaining four Executive Councillors, and there is absolutely no necessity for it. We have seen the administration of Bengal, Bihar and Orissa by one Lieutenant-Governor with the help of one Chief Secretary and half a dozen Secretaries at a time when there were no telephones or motor cars or macadamised roads. Now with these advantages for the administration of Bengal alone we have got to maintain a Governor with a host of Aide-de-Camps, Military Secretary——

Mr. PRESIDENT: Order, order, we have nothing to do with these. I cannot allow you to refer to them in this fashion.

MUNINDRA DEB RAI MAHASAI: Four Executive Councillors, 3 Ministers and about 2 dozen Secretaries. In the name of Reform this top-heavy administration is absorbing a large part of the revenues of the province without any corresponding efficiency in the administration. Red tape is being inordinately lengthened and the province is being impoverished. Ministers have been appointed to administer nation-building departments but the funds placed at their disposal are so insignificant that they are quite inadequate to meet the ever-growing demand of those departments. What is the good of appointing Ministers without funds?

Mr. PRESIDENT: Rai Mahasai, you very cleverly quickened your speed in reading out this portion of your speech but that will not help. (Laughter.) We have nothing to do with the Ministers at the present moment; so, you better leave them alone.

MUNINDRA DEB RAI MAHASAI: The long-expected White Paper has seen the light of day but there is no indication in it as to when the new Constitution will come into force.

Mr. PRESIDENT: We are not either discussing the White Paper. (Laughter.)

MUNINDRA DEB RAI MAHASAI: There was, therefore, no harm in taking some steps in advance by reducing the number of Executive Councillors. Something is better than nothing.

Babu JITENDRALAL BANNERJEE: It is said that one lives and learns. I have lived one year more since March, 1932, and have learnt many things but my learning has been considerably increased to-day by the display given by Mr. Shanti Shekhareswar Ray. We are accustomed to hear fiery and swash-buckling speeches from the Kumar Bahadur, but to-day he has come out as the statesman complete. He has found many virtues in the occupants of the Treasury Bench and has proved very helpful so far as Government departments are concerned. I shall not take my stand upon the ground of economy at all in supporting this motion. Even if we succeeded in reducing two of the Executive Members, even then we would not save much more than a lakh and a half rupees; and in the present state of our finances a lakh and a half does matter very much. But I take my stand first upon the comfort and physical convenience of the occupants of the Treasury Bench. The Treasury Bench is not too expensive, but it is far too crowded, and none of the gentlemen who occupy those seats of the mighty can be exactly described as atomies. Those seven gentlemen sitting over there, cheek by jowl, are naturally cramped for space and may feel overheated at times in spite of the artificial cooling-plant in

the house. I also take my stand upon the ground of efficiency. It might be said that the larger the number, the greater would be the efficiency of the Government; but that does not happen to be the case. There are too many cooks on the job and they spoil the delicious broth of Government measures. If they were less, the chances of mistakes would also be less. I shall give one illustration from the census operations, and that will be sufficient. These operations have not been in charge of one member of the Government only; they have been in charge of a couple of members. The first part of the business was done by the Hon'ble Alhadj Sir Abdelkerim Ghuznavi with all the wisdom and efficiency which we are accustomed to associate with his name; and now the finishing touches are being given by the Hon'ble Mr. W. D. R. Prentice. Thus the two extremes of Treasury Bench have co-opted in this matter, the head and the tail—I hope I shall not be misunderstood. But in spite of this joint and combined operation, the census operations do show rather glaring discrepancies of which I shall give two instances. In this province of ours there is a community known as the "Naths"—"Nath" spelt with an "h"—who number about 400,000. There is another community named the "Nats", the "h" is omitted here. They number not more than a handful, not more than 7,000. There is a very real difference between the two communities. The "*Nats*" are undoubtedly a depressed class community, while the "*Naths*"—equally undoubtedly—are persons of a superior class and status. But the two hon'ble members in charge of census took the thing in their stride; they thought that the "h" must of necessity be a superfluity. In any case, an "h" more or an "h" less—what could it matter? So, they have lumped together the *Naths* and the *Nats*; and the *Naths* now find, very much to their dismay, they are henceforth to be reckoned among the scheduled classes. Then again there is a community known as the Pods; they number about 1,000,000—as a matter of fact more than 1,000,000 and are chiefly concentrated in the 24-Parganas. Some of them do not wish to describe themselves as Pods, they want to be described as Paundra-Kshattriyas—quite a handful of a name! One learned Member of the Cabinet, nothing unwilling to gratify their humours, arranged them under two different heads, as *Pods* and "*Pundari Pods*", the word "Pod" being bracketed in the latter case.

But now mark the consequence of this excessive amiability! In my humble district, there is a community of men who are known as *Pundaris*. They are an agricultural community of a superior type; they have nothing to do with the *Pods*; and they have long described themselves as Pundra Kshattriyas. But this similarity of names has proved their undoing. The learned members of the Cabinet jumped to the conclusion that the *Pods* of the 24-Parganas and the *Punros* of Birbhum must belong to the same class. And so, the *Punros* of

Birbhum, Malda and Murshidabad—will they find themselves lumped among the scheduled classes. This is the sort of confusion that we get when there are so many accomplished men on the Treasury Benches. If there were less of them, the chances of confusion also would have been less. And, Sir, on this ground, if not for anything else, I plead for a reduction in their number.

The Hon'ble Mr. W. D. R. PRENTICE: It is rather difficult to reply to a discussion which, as Mr. Kishori Mohan Chaudhuri reminded us, has gone on since 1921 and to say anything new. He said that in 1921 the Council having had experience of the work to be done decided that two Members were all that they required and passed a motion accordingly. Of course at the time they passed that resolution they had only 5 weeks' experience of the new form of Government. However some years have passed since then and there has been more time to consider the question and it is now brought up on the ground of retrenchment.

Mr. J. L. Bannerjee, I do not think, always reads the Council reports with the care that they demand. If he did then he would have realised that Mr. Shanti Shekhareswar Ray took practically the same line last year in dealing with the same resolution and the speech he made to-day was not a change of heart on his part.

Mr. NARENDRA KUMAR BASU: The Treasury Bench quoting Mr. Shanti Shekhareswar Ray!

The Hon'ble Mr. W. D. R. PRENTICE: I was just going to say that it is not often that I agree with Mr. Shanti Shekhareswar Ray, but I must admit that I thought he was taking the common sense line when he said that it was useless to argue this matter of the reduction of the size of the Cabinet on the basis of economy. Supposing the motion to reduce the Executive Council were passed, it would only save about Rs. 1¼ lakhs out of a deficit of Rs. 2 crores. A great deal of reliance has been placed on what the Retrenchment Committee has said, but I do not think that the Retrenchment Committee's report has been read carefully. For I think I am correct in saying that nowhere have they said that the size of the Executive Council should be reduced by two Members. They recommend a reduction of the Cabinet from 7 to 5, but nowhere have they said that this should be done by doing away with two of the Members. They have left this point alone.

However, let us leave the question of the committee's report and get down to the facts. I was surprised to hear some of the speakers saying that all that the Members of Government did was to sign papers. I only wish that they did; I should be much happier if that were our job. In 1921 when a motion of this kind was discussed in the Council

Sir Henry Wheeler explained how the number "4" was arrived at. First of all in view of the work to be done it was thought necessary to have two officials, and secondly in view of the recommendation of the Joint Select Committee that the number of non-officials should be equal to officials it was decided that there should be two non-officials, so the total number came to four. He pointed out that a new system of Government had started and they had to gain experience of the amount of work involved in the new system, *e.g.*, in connection with the work of the Legislative Council and the such like. In 1922 the same question came up and the Government examined the situation and came to the conclusion at that time that the proposal to administer the reserved departments by two Members meant an impossible task for the Members. That was in 1922. This is 1933. It is very interesting, when looking up the discussion of 1921, to see how many people who took part in that discussion are still members of this House. There are very few and during the 10 years that have passed since 1921 a great many new members have entered this Council. But I appeal to them to say whether it is not within their experience that the work has enormously increased of late years and if in 1922 Government were able to come to the decision that it was perfectly impossible to expect two members to deal with the business of the reserved side of the Government, I would ask them whether it is reasonable to expect that the work arising out of the same departments can now be dealt with by two. I can tell you perfectly honestly, having been associated with Government as Chief Secretary and Member for the last 7 years on the reserved side, that it is a perfectly impossible task; it simply cannot be done. It is all very well to talk of economy and it is all very well to talk of where money can be saved, but you must have regard to the amount of work to be done and consider whether the arrangements which you propose should be substituted or which you recommend for substitution are at all feasible. Honestly I can tell you that in this instance they are not.

What I have said now reminds me of what one of the previous speakers referred to, I think it was Rai Bahadur Jogesh Chandra Sen who referred to the need there was for time to think. I wish we had more time to think. The stress and rush of business is such that we work at very high pressure; files have got to be rushed through in much less time than one would like to spend on them and much less thought is given to them than is desirable, because there is this rush. I wonder if many members of this Council appreciate the amount of work involved by even one question that they ask in this Council. Take the resolutions on the paper, take the resolutions that were going to be moved to-day about the hill exodus. How many hours' work do you think was involved in preparing facts and figures, all wasted? That is one result of the present system, the great increase of work caused by the Council.

On the general question about the practicability of reducing the Executive Council I would strongly advise the Council to vote against this resolution. But I would also remind them that the decision regarding the size of the Council is not in the hands of this Government, the size is fixed under the Government of India Act and this Government is not responsible. What I am concerned with as far as this motion is concerned is that this proposed cut concerns the money that is provided for servants, temporary establishment, their hill allowances, and things like that. If you refuse this money then it is they whom you harm, not the Members of the Executive Council. You also tie up things very badly, because the passing of a cut like this means that no reappropriation under this head is possible. In the circumstances I would ask that after this discussion the mover will be pleased to withdraw his resolution.

Mr. SYAMAPROSAD MOOKERJEE: I should like to say a few words in support of the resolution moved by Mr. Basu. I was expecting the Hon'ble Member in charge of the department to put forward some definite arguments, and not mere generalisations, from which he could show that it was really impossible for less than 4 Executive Councillors to cope with the duties which are assigned to them under the provisions of the Government of India Act. The only contribution which the Hon'ble Member made was that they were very much overworked. That is a question on which it is not possible for us to give any opinion without knowing exactly what the Hon'ble Members do. As an illustration of heavy work, the Hon'ble Mr. Prentice said that much time was lost when questions were asked by members of the House to the Members of Government.

The Hon'ble Mr. W. D. R. PRENTICE: I asked the members to realise how much time was involved in preparing replies to questions.

Mr. SYAMAPROSAD MOOKERJEE: I do not think it involves much time, so far as the Hon'ble Mr. Prentice goes, because his commonplace answer is—"I have nothing to add." But I am not going to refer to that aspect of the question. Two Retrenchment Committees sat and recommended that the size of the Cabinet should be reduced. I was thinking as to what exactly was the chief reason why this particular recommendation of the Retrenchment Committees never received a serious consideration at the hands of Government. The reason is very simple. The reason is that the decision rests at the initial stage not with a third party, but with the very persons whose offices are proposed to be retrenched. I think that if that procedure is adopted with regard to the other officers of Government whose posts have been

recommended to be retrenched under the report of the Retrenchment Committee, we would not perhaps have seen any retrenchment at all in any department. We have been told, and there is no answer by the Hon'ble Member to that, that there is at least one sister province where the number of Executive Councillors has been reduced. That is a province which presents difficult problems of administration as our province does and we have not yet heard that such a reduction in the number of Executive Councillors there has led to any deterioration of efficiency. I do not wish to waste much time of the House but I should like to refer to the portfolios which are allotted to each Member of the Executive Council in Bengal. Mr. Prentice, clever as he is, almost surpassed himself while giving his reply. He said that it was not possible to reduce the number from 4 to 2; but that does not mean that it is not possible to reduce the number from 4 to 3. Mr. Prentice did not deal with the question about the different subjects allotted to each Member of the Cabinet. I may at once tell him that there are certain portfolios at any rate which may be easily distributed among the other Members of the Executive Council. One Member has in his charge Land Revenue, Land Acquisition, Excluded Areas, Jails and Legislative Council (I suppose, Sir, a portion of this has now come under your direct control in accordance with the new arrangement). The second Member, Sir Abdelkerim Ghuznavi, has an enormous portfolio; it is much more than what is allotted to Sir Provash Chunder Mitter, its perusal almost makes one gasp! Look at this formidable list—first comes Emigration, Immigration, (if there is emigration, there must be immigration!) then comes Jurisdiction, (jurisdiction over whom?) next, Haj Pilgrimage, then Forests, a very important department no doubt which is exclusively the Hon'ble Member's concern, and last though not the least, there is Irrigation. It is seriously suggested by Mr. Prentice that these portfolios cannot be transferred to the other three Members and the office of one Member retrenched without any loss of efficiency. I would ask Mr. Prentice or the Chief Secretary to tell us why these portfolios cannot be allotted to the three other Members. But of course if the reason is that the initial recommendation rests with the members of the Executive Council themselves and the accepted practice is for one Member to pat the other on the back, if this is the reason behind the scenes, then I have nothing further to say.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, I deliberately waited to see if any other member would rise to speak. Mr. Syamaprosad Mookerjee made no attempt to rise and now Government are left in the position of new points being sprung upon them. I want to know, Sir, whether after he and other speakers have spoken, I shall be allowed to reply to the new points raised.

Mr. PRESIDENT: Perhaps, the Chief Secretary will be able to reply.

The Hon'ble Mr. W. D. R. PRENTICE: He has not prepared the case at all, I have prepared it.

Khan Bahadur MUHAMMAD ABDUL MOMIN: My motion No. 396 is similar in character.

Mr. PRESIDENT: You can speak on this motion, if you like.

Reverend B. A. NAG: Sir, I do not quite follow my friend Mr. Syamaprosad Mookerjee in desiring to have the number of Hon'ble Members reduced from four to three. The cut is from Rs. 13,000 to Rs. 6,500, therefore the motion is for the reduction of two. (Cries of no, no.) It does not follow that the number should be reduced at all, because this reduction simply refers to the establishment and therefore it does not follow that this motion is for any reduction in the number of Hon'ble Members. In any case our friend seems to have forgotten that we received the White Paper this morning. How much work it will involve no one can say, but that it will mean a tremendous amount of work there is absolutely no doubt. Whatever the merits of this proposal may have been a year or two ago, it is absolutely out of place now. We want the reforms to come into being as soon as possible and some people have to work for them and the work originates from the Cabinet. To reduce their number either at one end or the other is to hinder the progress of reforms and therefore I oppose the motion. Moreover, Sir, in about a year's time or at the most in about 18 months' time, we shall have the new constitution: we shall have Ministers responsible to the Legislature, and it will then be our duty to find out how much work can be done by how many Ministers. There is time enough to reduce the Cabinet, if necessary, then. I oppose the motion.

Mr. R. N. REID: Mr. President, Sir, I feel some diffidence in replying to Mr. Syamaprosad Mookerjee's remarks owing to the fact that I could not catch them all. (Mr. SYAMAPROSAD MOOKERJEE: Was the hon'ble member sleeping?) Sir, that question I am not prepared to answer (laughter!). Now, Sir, I understand that Mr. Mookerjee raised three main points. The first was a comparison between this province and Bombay. That comparison was a thing which the Hon'ble Member deliberately did not enter into because he had no personal knowledge of conditions in Bombay. But as regards the revenue receipts, it was argued that the revenue in Bombay was larger than in Bengal, yet at the same time Bombay had been able to dispense with one Member.

Mr. NARENDRA KUMAR BASU: On a point of order, Sir. It was not Mr. Syamaprosad Mookerjee's point. That point was raised by me.

Mr. PRESIDENT: If the House agree, I would rather allow the Hon'ble Mr. Prentice to reply. But this will create no precedent.

The Hon'ble Mr. W. D. R. PRENTICE: Mr. Reid was saying on my behalf that the first point dealt with by Mr. Syamaprosad Mookerjee was that Bombay had reduced the number of its Members and therefore why could not Bengal do the same? Mr. Reid was explaining that I did not deal in my reply with the remarks of such members as Mr. J. N. Gupta and others because I was not in a position to compare Bombay with Bengal as regards the amount of work done in the two provinces. As this point has again been raised, I should like to say to Mr. J. N. Gupta and people who argue like him and base their comparisons on revenue, what about population? If the revenues of Bombay are bigger than those of Bengal, what about population? Is it not about 50 millions for Bengal against 20 for Bombay? If you argue on the revenue basis you must also bear in mind the population and remember that the work of administration as a rule largely depends upon the number of people with which it is concerned. I suggest that a province with 50 millions of population is likely to have more work than a province with 20 millions of people. I deliberately avoided making comparisons with Bombay but this reply has been forced upon me by the speakers.

The next point of Mr. Mookerjee was that no attention was paid to the recommendation of the Retrenchment Committee that the number of Members of the Executive Council should be reduced because the decision as to what was to be, depended upon people who were themselves interested and because each one of them wanted to pat the other on the back. I should like to point out that this is entirely wrong. The number of Members of the Executive Council is settled by the Secretary of State under section 47 of the Government of India Act and therefore this argument of Mr. Mookerjee is worthless.

Mr. NARENDRA KUMAR BASU: It is laid down that it shall be not more than four. We want you to recommend a reduction.

The Hon'ble Mr. W. D. R. PRENTICE: Mr. Mookerjee argued that nothing was done because we four Members of the Executive Council were responsible for the recommendation as to what should be done. That is not a fact, but in any case the final decision rests with the Secretary of State, and does not depend on our recommendation.

The last point he made was that if the number could not be reduced to two why could it not be reduced to three. That is an example of the difficulty with which Government Members are faced. It is only when it is apparent that nobody else wants to speak on a cut motion that we rise to reply. If some one gets up later and raises new points and wants a reply the Member cannot give it save by leave of the Council. In this instance Mr. Mookerjee has raised a point which was not raised by any previous speaker. Mr. Mookerjee now raises the question of reducing the number to three. Well, as I have said before, when the Executive Council was established, it was decided that there should be two officials because it was found that two officials were necessary. It was also the desire of the Joint Select Committee that there should be an equal number of non-officials. This meant two Indian non-official members, and a total of four. Mr. Mookerjee now suggests that the number should be three. There are two ways of doing this, one is to cut down the number of officials and the other is to cut down the number of non-officials. Now in 1921 it was decided that two officials were necessary and I say that if two were required in 1921, they are certainly required now in 1933. (A VOICE: What will happen in 1934?) You can prophesy.

That method of reducing the number to 3 is contrary to what was arrived at in 1921 after great care. As regards reducing the number the other way, I mean by reducing the number of non-officials, one of the main Bengal problems is of Hindus *versus* Muhammadans. Throughout, from the beginning there has been an endeavour to have both points of view represented on the Executive Council. If you now reduce the number of non-officials then it means that one of the two sections will not be represented and I gather that whichever side is not represented will complain. I am not arguing about work at all. In the case of non-officials there are other considerations to take into account. I may point out that the Joint Select Committee did not argue for two non-officials, because there was work for two non-officials. If Mr. Mookerjee will read the report of the Joint Select Committee he will see what their arguments were. A proposal to reduce the number of non-officials would raise new difficulties, and I am sure would not appeal to one or other section of the House. Mr. Mookerjee's arguments therefore do not carry us any further and do not justify the Council voting for this motion.

The motion was then put and lost.

Mr. NARENDRA KUMAR BASU: Sir, it is 1 o'clock and I think the Council should adjourn now.

Mr. PRESIDENT: I think the usual practice is to sit till 1-30.

The Hon'ble Mr. W. D. R. PRENTICE: We have no objection, Sir, if the members of the House are agreeable to give up half an hour from the total allotted time.

Khan Bahadur MUHAMMAD ABDUL MOMIN: If this means that we shall lose half an hour from the time allotted to this head then we do not agree.

Mr. NARENDRA KUMAR BASU: So far as this head is concerned we shall have the full time.

The Hon'ble Mr. W. D. R. PRENTICE: There will not be a reduction of the time allotted to this head which is 6 hours 15 minutes, but half an hour will be reduced from the total allotted time for the discussion of grants. If the members are agreeable to that, we have no objection.

Mr. PRESIDENT: Yes, half an hour will be reduced at the end because all motions have got to be disposed of by 5 p.m. on the 29th.

Adjournment.

The Council was then adjourned till 3 p.m., on Monday, the 20th March, 1933, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Monday, the 20th March, 1933, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 112 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Officers in the Calcutta Police Force.

*65. **Maulvi HASSAN ALI:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state—

(*i*) the total number of officers (Commissioners, Deputy Commissioners, inspectors and sub-inspectors) at present serving in the Calcutta Police Force;

(*ii*) how many of them are Mussalmans and how many Hindus?

(*b*) Will the Hon'ble Member be pleased to state whether any recruitment has ever been made to any of these offices in the Calcutta Police from *mufassal* districts, particularly Dinajpur, Rangpur and Jalpaiguri?

(*c*) If so, when, and what is their number in respect of each of the above three districts?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) A statement is laid on the table.

(*b*) Assistant Commissioners and inspectors are appointed by promotion from the lower ranks. Vacancies for sub-inspectors are advertised and it is open to residents of all districts in Bengal to apply.

(*c*) The particulars asked for are not readily available and can only be obtained by means of a laborious inquiry which Government regret they are not prepared to undertake.

Statement referred to in the reply to starred question No. 65(a).

Rank.	Sanctioned strength.	Hindus.	Mussalmans.
Commissioner ..	1	..	..
Deputy Commissioners ..	7	1	..
Inspectors ..	65	25	9
Sub-Inspectors ..	112	72	34

Maulvi ABDUL KARIM: Will the Hon'ble Member be pleased to state if any particular step is being taken to remove the disparity in the number of Muhammadan officers?

The Hon'ble Mr. W. D. R. PRENTICE: Orders have been issued from time to time and Government are satisfied that the Commissioner of Police is paying due attention to these orders.

Maulvi SYED MAJID BAKSH: Is it very difficult for the Hon'ble Member to find out whether any persons from these three particular districts have been appointed to the Calcutta Police or not?

The Hon'ble Mr. W. D. R. PRENTICE: In that case we will have to get through five or six thousand rolls to find out the places of birth of each person and then tabulate them against each district. I leave the hon'ble member to form his own conclusion.

Maulvi SYED MAJID BAKSH: Is it not a fact that when persons apply, their native districts are recorded in the applications?

The Hon'ble Mr. W. D. R. PRENTICE: Yes. But we have got to go through every application to see the places of birth of each applicant.

Maulvi SYED MAJID BAKSH: But according to the statement the Hon'ble Member will have to go through a very small number of applications, say about 40 or 45.

The Hon'ble Mr. W. D. R. PRENTICE: I beg your pardon, Sir. I did not realise it before. I thought the question referred to all ranks, including constables. But even then you will find there is quite a good number of rolls.

Maulvi SYED MAJID BAKSH: If the question is only in respect of these officers, is it very difficult for the Hon'ble Member to find out how many of them belong to these three districts?

The Hon'ble Mr. W. D. R. PRENTICE: I have already pointed out that it will involve going through a number of rolls to find out something that is not really important.

Punishment of Police sub-inspectors in the Pabna district.

*96. **Khan Bahadur Maulvi MUAZZAM ALI KHAN:** Will the Hon'ble Member in charge of the Police Department be pleased to lay on the table a statement showing for the years 1930, 1931 and 1932—

(*i*) how many sub-inspectors of police of the Pabna district have been punished;

(*ii*) how many of those punished were Hindus;

(*iii*) how many of them were Mussalmans; and

(*iv*) the charges against, and the nature of punishment (including suspension) inflicted on, each of those punished?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*i*) Fourteen.

(*ii*) One.

(*iii*) Thirteen.

(*iv*) It is not considered desirable in the public interest to specify the charges. In all 20 punishments were inflicted, 1 officer being dismissed, 3 removed, 1 placed under suspension, 11 suffering temporary reduction of pay, 1 having an increment stopped and 3 officers being awarded black marks.

Two officers had 3 punishments each, and 3 two.

Assaults by the Police on a "rickshawala" at Howrah.

*67. **MUNINDRA DEB RAI MAHASAI:** (*a*) Is the Hon'ble Member in charge of the Police Department aware that a constable or havildar dragged a *rickshawala* by force at the Howrah station on the evening of 3rd February, and threw him down on the ground causing profuse bleeding?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what action, if any, has been taken in the matter by Government?

(*c*) If the answer is in the negative, will the Hon'ble Member be pleased to state what action does he propose to take to prevent a recurrence of such unprovoked assaults by the Police?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*), (*b*) and (*c*) Government are unable to trace any such incident as is referred to in this question.

MUNINDRA DEB RAI MAHASAI: Will the Hon'ble Member be pleased to state whether he is unable to trace any such incidents because they are of every day occurrence?

The Hon'ble Mr. W. D. R. PRENTICE: If the hon'ble member is honest in his desire for information he will give us the information which will enable us to trace the occurrence. I have already stated in the answer that we cannot trace it.

Land revenue demand in the temporarily-settled estates in Bengal.

*68. **Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a statement showing, district by district, the increase or decrease of land revenue during the last decade in the temporarily-settled estates in Bengal?

(*b*) Will the Hon'ble Member be pleased to state the general cause for the increase or decrease in the land revenue?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) A statement is laid on the table.

(*b*) The increase was mainly due to re-settlements and assessment of accretions.

Statement referred to in the reply to starred question No. 68 (a), showing the land revenue demand in temporarily-settled estates during 1922-23 to 1931-32.

Districts.	Current demand.									
	1922-23	1923-24.	1924-25	1925-26.	1926-27.	1927-28.	1928-29.	1929-30.	1930-31.	1931-32.
	Rs.	Rs.	Rs.	Rs	Rs	Rs.	Rs.	Rs.	Rs.	Rs.
Burdwan	20,184	18,827	20,298	20,554	20,467	20,262	20,049	20,842	20,822	20,927
Birbhum	560	1,000	1,000	1,000	615	615	615	..	..	..
Bankura	4,611	3,287	5,021	6,769	7,489	7,805	6,837	6,459	6,911	6,889
Midnapore	96,637	97,676	98,674	98,674	99,670	90,967	90,967	91,054	90,810	90,821
Hooghly .. .	17,460	18,821	18,859	18,891	19,199	20,384	20,344	20,285	19,772	19,162
Howrah	26,436	26,925	27,588	27,646	27,534	27,588	28,054	28,228	28,597	29,001
24-Parganas	2,99,304	3,04,138	3,11,305	3,12,757	3,12,579	3,32,866	3,74,207	4,23,521	5,00,546	5,02,450
Nadia	1,04,529	1,08,875	1,23,616	1,27,029	1,26,993	1,26,921	1,34,738	1,34,505	1,48,091	1,44,945
Murshidabad	23,813	24,647	25,109	25,666	26,505	25,697	25,464	33,388	41,708	44,973
Jessore	6,062	5,799	6,062	6,057	7,224	7,999	8,838	8,343	8,309	7,966
Khulna	2,17,442	2,18,489	2,13,834	2,46,078	2,72,582	2,82,140	2,93,536	2,97,424	2,99,083	3,00,076
Dacca	1,20,423	1,20,230	1,19,102	1,18,867	1,20,635	1,22,555	1,21,856	1,23,668	1,24,082	1,22,885
Mymensingh	1,07,796	1,32,476	1,20,244	1,17,499	1,16,878	1,17,379	1,17,120	1,17,676	1,17,671	1,14,149
Faridpur	77,623	75,548	75,274	75,532	72,320	74,969	71,978	69,568	70,192	68,356
Bakarganj	3,23,662	3,23,818	3,23,614	3,25,572	3,22,443	3,15,442	2,76,375	3,27,681	3,29,342	3,29,870
Chittagong	10,551	10,551	10,551	10,551	10,551	10,551	10,550	10,548	10,546	10,517
Tippera	44,642	45,012	45,173	34,273	33,663	33,546	34,267	33,751	33,741	32,779
Noakhali	54,049	56,431	56,665	54,651	55,203	56,346	57,698	56,480	56,513	52,125
Rajshahi	9,614	9,752	9,752	10,341	12,066	15,234	15,860	16,313	17,286	16,541
Dinajpur	.	..	..	15	15	15	15	15	15	15
Jalpaiguri	4,09,245	3,00,635	3,20,992	3,28,918	3,47,040	3,52,687	3,61,508	3,64,600	4,16,366	4,24,510
Rangpur	3,760	3,724	3,566	3,597	3,607	3,645	3,845	3,645	3,810	3,784
Bogra	20	532	532	532	614	1,135	3,952	3,981	12,687	12,687
Pabna	28,022	30,117	28,261	35,464	34,732	39,671	43,165	43,420	43,319	44,251
Malda	39,670	40,255	39,535	39,606	41,600	45,625	45,741	45,916	45,501	47,689
Darjeeling	33,621	33,622	34,129	34,620	36,304	43,712	92,443	98,722	1,00,613	1,00,675
Total ..	20,09,866	20,11,187	20,49,085	20,81,260	21,27,928	21,84,866	22,59,773	23,82,113	25,52,009	25,49,195

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is the Hon'ble Member sure that the enhancement is due only to re-assessment of accretions and not also re-assessment of rents?

The Hon'ble Sir PROVASH CHUNDER MITTER: The hon'ble member knows very well what re-settlement means—it is only the assessment for accretions in this case.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Re-settlement may or may not include enhancement of rent.

The Hon'ble Sir PROVASH CHUNDER MITTER: In some suitable cases they do, in others they do not.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Use of oil by prisoners in jails.

58. Rai Bahadur JOGESH CHANDRA SEN: (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether—

(*i*) it is a fact that Bengalees, Beharis, Orissa and U. P. people rub oil on their bodies before taking their bath;

(*ii*) it is considered by them to be conducive to health; and

(*iii*) oil is allowed to convicts in jails for bathing purposes?

(*b*) If the answer to (*iii*) is in the negative, will the Hon'ble Member be pleased to state the reasons for such non-allowance?

(*c*) Are the Government considering the desirability of supplying oil to the convicts who may require it?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) (*i*) Some use oil and some do not.

(*ii*) This is a matter of opinion.

(*iii*) No; it is supplied only on medical grounds.

(*b*) Regular supply is not considered necessary.

(*c*) Government have approved a scheme for the issue of oil to prisoners on Sundays only for inunction, at an estimated cost of Rs. 1,422, and it will be given effect to as soon as financial conditions permit.

Standard of muharrars' work in Registration offices.

59. Mr. A. F. M. ABDUR-RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Education (Registration) Department be pleased to state whether it is a fact that the standard of *muharrars'* work in Registration offices in Bengal is prescribed at 12 pages a day (copying) and 24 pages (comparing)?

(*b*) Is it a fact that in some districts in Bengal this standard has been raised under the orders of the District Registrars to 13 pages and 14 pages for copying?

(*c*) Is it a fact that as a consequence the *muharrars* cannot cope with their work?

(*d*) Will the Hon'ble Minister be pleased to state whether the Government are considering the desirability of directing the District Registrars who have thus enhanced the standard of the *muharrars'* work prescribed under departmental instructions to withdraw the orders?

MINISTER in charge of EDUCATION (REGISTRATION) DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) This is the minimum standard prescribed, but permanent hands are expected to exceed it.

(*b*) Yes.

(*c*) and (*d*) No.

Expenditure incurred for quartering of troops in Bengal.

60. Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member in charge of the Political Department be pleased to state—

(*i*) what is the total amount of costs so far incurred by the Government of Bengal on account of, and incidental to, the quartering of troops in different districts of Bengal; and

(*ii*) whether the Government of Bengal made any representation to the Government of India not to throw any burden of the costs on Bengal in view of its financial difficulties and with what result?

The Hon'ble Mr. W. D. R. PRENTICE: (*i*) Final figures have not yet been worked out, but so far as is known at present the expenditure incurred by the Government of Bengal since December, 1931, is Rs. 2,07,000.

(*ii*) The Government of Bengal have agreed to bear certain charges but every endeavour is being made to reduce the provincial Government's liabilities to a minimum.

Discontinuance of the Bohar-Bhedarganj ferry service.

61. Mr. ANANDA MOHAN PODDAR: (*a*) Is the Hon'ble Member in charge of the Marine Department aware of the inconvenience to the public of the Kartickpur pargana in the Madaripur subdivision, caused by the discontinuance of the Bohar-Bhedarganj ferry service?

(*b*) Will the Hon'ble Member be pleased to state whether it is a fact that Mitrerchar or Padma junction is a suitable site for a steamer station on the southern bank of the Padma, where all the steamers of the triangular service may touch and from which a small ferry can be conveniently run up to Bhedarganj?

(*c*) If the answer to (*b*) is in the affirmative, are the Government considering the desirability of urging the steamer companies to make arrangements for the mail and mixed steamers to touch at Mitrerchar and to run a small ferry service between the latter and Bhedarganj?

(*d*) Is the Hon'ble Member aware that this inconvenience of the public may be partly removed if it is arranged that the Madaripur mail steamer, both up and down, should touch at Sureshwar?

(*e*) If the answer to (*d*) is in the affirmative, are the Government considering the desirability of urging the steamer companies to arrange accordingly?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (*a*) No complaint has been received by Government, but it is presumed that the discontinuance of a ferry service must give rise to a certain amount of inconvenience.

(*b*) and (*c*) There is no site at Mitrerchar which would be suitable for a ghat all the year round; the river banks are submerged during the rains. The joint companies also report that a ferry service between Mitrerchar and Bhedarganj is not a paying proposition and that they are unable to maintain one.

(*d*) and (*e*) The companies report that it is impossible to allow the Tarpassa-Madaripur Express steamer to call at Sureshwar, firstly, because she has to maintain connections with other services, and secondly, because unless she arrives in Charmugria to time, the mails are not delivered the same day and considerable inconvenience is thereby caused.

Services of the Dorsetshire Regiment and Eastern Frontier Rifles stationed at Dacca.

62. Rai Bahadur SATYENDRA KUMAR DAS: (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state what are the distinctive services and functions of two military forces, the Dorsetshire Regiment and Eastern Frontier Rifles, both stationed at Dacca?

(b) Will the Hon'ble Member be pleased to state whether it is possible by negotiation with the Army Headquarters to place the Dorsetshire Regiment under the orders of the District Magistrate of Dacca who may thus be empowered to utilise their services whenever necessary?

(c) If the answer to (b) is in the affirmative, are the Government considering the desirability of removing the Eastern Frontier Rifles from Dacca on economic grounds.

The Hon'ble Mr. W. D. R. PRENTICE: (a) The Eastern Frontier Rifles are not a military force, but a provincial police force organised on military lines. Members are appointed under the Police Act and enrolled under the Eastern Frontier Rifles Act, 1920. They are a special force for use in emergencies wherever required throughout the province. The Dorsetshire Regiment are a purely military force under the central military authorities and as has been explained in the Government communiqué are part of the augmented garrison lately brought into Bengal for the purpose of strengthening the forces of Government.

(b) No.

(c) Does not arise.

Rai Bahadur SATYENDRA KUMAR DAS: Will the Hon'ble Member be pleased to state what distinctive functions are performed by the Dorsetshire Regiment stationed at Dacca?

The Hon'ble Mr. W. D. R. PRENTICE: I have nothing to add to the last sentence in answer (a).

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state why no reply has been given to the question regarding the distinctive services of this regiment?

The Hon'ble Mr. W. D. R. PRENTICE: It is a matter of common knowledge. It is clearly indicated in the reply that one is a police and the other is a military force.

Mr. NARENDRA KUMAR BASU: This is really an answer to the question regarding their functions. What I want to know is the distinctive services rendered by this regiment during the course of its existence at Dacca.

The Hon'ble Mr. W. D. R. PRENTICE: That is not the meaning of the question. I must ask for notice of that.

Mr. SHANTI SHEKHARESWAR RAY: Is it a fact that the District Magistrate of Dacca when he asked for the services of this regiment, such services were not available? If so, why?

The Hon'ble Mr. W. D. R. PRENTICE: I would refer the hon'ble member to the provisions of the Criminal Procedure Code.

Mr. SHANTI SHEKHARESWAR RAY: Is the answer available in the Criminal Procedure Code?

The Hon'ble Mr. W. D. R. PRENTICE: You will find there under what circumstances you can call for the military.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member refer me to the particular section?

The Hon'ble Mr. W. D. R. PRENTICE: I would refer the hon'ble member to the book in the Library.

DEMAND FOR GRANT.

22—General Administration.

Maulvi ABDUL HAMID SHAH: I beg to move that the demand of Rs. 13,000 under the head "22D—Executive Council" be reduced by Rs. 100 (to draw attention to the apathy of Government in not answering important relevant questions put by members in the Legislative Council).

The mover spoke in Bengali in support of his motion.

When in the course of his speech, he referred to a particular Council question the answer to which had seemed unsatisfactory to him, he was called to order by Mr. President who pointed out that he should not refer to any particular interpellation in the course of his speech.

Babu JITENDRALAL BANNERJEE: On a point of order, Sir. May we humbly know what is the reason of this ruling of yours?

Mr. PRESIDENT: The point is that section 36, if I remember aright, prohibits any discussion of any question and its answer that might have been given in the House. If I allow a member to refer to a particular question or a particular answer, then I would also be allowing him to discuss about the propriety or otherwise of the answer. I am not going to allow that.

Babu JITENDRALAL BANNERJEE: My submission before you is this: the object of the hon'ble member is to show that Hon'ble Members of Government have failed in answering questions properly, and unless he is allowed to refer to a particular question, how can he elucidate his point? Not that he intends to discuss the merits of the question or the merits of an answer, but he simply refers to a particular question to elucidate his point.

Mr. PRESIDENT: It is not necessary, for the simple reason that the mover when setting out his grievance may say in a general way that many questions have not been properly answered and I think that would be quite sufficient for his purpose unless there is any veiled intention to attack any particular answer.

Khan Bahadur Maulvi AZIZUL HAQUE: But, Sir, it would be necessary for him to elucidate his point. Supposing we are not satisfied with merely a general statement. Section 36 lays down that no discussion shall be permitted in respect of any question or any answer given to a question. The trend of the rule only shows that it refers to a particular answer to a particular question. But this is a motion and the House, if it has a real grievance, has a right to enter into the question.

Mr. PRESIDENT: The Khan Bahadur would, perhaps, let me interpret the rule in my own way. My interpretation is that I would be creating a dangerous precedent if I allowed members under some pretext or other to discuss any particular answer to any particular question given in this House when a rule specifically prohibits such discussion. I allowed this motion—though it is of a very novel character—only to enable the House just to discuss in a general fashion that such a grievance exists. I thought that would serve the purpose which the mover had in view.

Mr. NARENDRA KUMAR BASU: Sir, may I draw your attention to the connotation of rule 36? We have seen that rules and standing orders are divided into several parts, and part III relates to the question and rule 36 is under that part. It says: That no discussion shall be permitted in respect of any question or of any answer given to a question. Rule 36 immediately follows rule 35 which deals with questions. That I submit shows distinctly that rule 36 only refers to questions which have been put or to answers which have been given on which there should be no discussion. But my submission is that it does not and it cannot mean that at any future time the conduct of the member who has answered a question or the conduct of a questioner or the facts of the questions and answers cannot be discussed. It cannot possibly mean that. It is really limited to the Chapter on Questions. But so far as motions and legislation are concerned, this section 36 does not apply——

Mr. PRESIDENT: Order, Order: I have understood your point, I would ask you to say if under any pretext, even under the shelter of an ordinary motion, you can do anything which a rule definitely forbids? Here is a rule which is very definite in character. It says that no discussion shall be permitted in respect of any question or of any answer given to a question. The reason clearly stated by the member who gave notice of this motion was that questions are not properly answered. When he gave me notice of this motion he did not give me the least idea that his real intention was to refer to a particular question or a particular answer. I do not know if he had any such motive at the back of his mind—that he really wanted under a pretext to discuss any particular question or any particular answer. Therefore, it is perfectly

legitimate for me to permit him only to make general observations with regard to questions which have not been properly answered. I cannot allow him to level criticisms against particular questions and answers.

Mr. NARENDRA KUMAR BASU: If you permit, Sir,——

Mr. PRESIDENT: Order, order. There cannot be any deviation from the rules. I cannot allow that. That would mean that our debate would take a disorderly turn.

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir——

Mr. PRESIDENT: Order, order. I have already given my ruling on the point.

Maulvi ABDUL HAMID SHAH then continued with his speech in Bengali of which the following is a translation:—

"Mr. President, I propose a cut of Rs. 100 from the estimated expenditure of Rs. 13,000 under the head 'Executive Council' on the ground that questions asked by members of the Council are not fully and properly answered, very often it is indifference that is displayed. But even Government cannot deny that it is only in this way that a bond of intimacy and mutual confidence can be easily established between them and the public. Before the inauguration of new constitutional reforms in 1919, the public, specially the peasants and *raiyats* who constitute more than 90 per cent. of the population, were not entitled to return any representatives to the Council. During the long period between the beginning of the British rule and the constitutional reforms of 1919, heaps of grievances and complaints had accumulated in their hearts, which we, as their representatives, are bound to ventilate. This is why we have to put questions to Government. But I regret to state that these questions often elicit replies which are quite disappointing. It is a 'laborious task' to inquire into the grievances and complaints of the public, indeed it must needs be so. The dust that has accumulated for one hundred years certainly requires much more time, money and labour for its removal than what has accumulated for one year only. Can Government deny this fact? I leave it to the hon'ble members to judge how deplorable the attitude of Government is. Should Government admit the truth of what I have stated and promise redress, I would not consider it proper to waste any more time on this motion."

Babu SATISH CHANDRA RAY CHOWDHURY: I beg to second this motion. All the members on this side of the House have got a very serious grievance on this subject, and it is only right and proper that the matter should have been brought before this House in the form in which it has been done by Maulvi Sahib. Maulvi Sahib has

dealt with one aspect of the thing, that is, whenever there has been any question put by him regarding grievances of the agriculturists, the usual reply has been that the information cannot be had without labour and expense which is deemed unnecessary by Government. The reasons are never given why it is deemed unnecessary, but the whole thing is cut short. The members who represent particular constituencies here have got a sense of responsibility of their own, and when they put questions, they do so with a view to discharge their responsibilities to their constituency. Unless his constituency has got a real grievance, no member would care to spend his time to ask questions in this House. The time of the non-official members of this House is no less valuable than the time of the members of Government. We have seen that very important questions are replied in two ways, namely, either by silence on the part of Government or by saying "I have nothing further to add," which is the most usual way of evading an answer. I have tried to find out if similar answers are given in the Legislative Assembly or in the Parliament, but failed. In certain cases this sort of answer has no relevancy at all to the supplementary questions put, and therefore it does not throw any light on the matter. So I think the sense of the House is that something should be done to redress the grievance and that Government ought to try to answer questions more reasonably.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I am sorry that an occasion should have taken place for bringing in a motion of this nature before this House, but I may say that it embodies the feeling of practically the whole of the non-official block in this House, at any rate the Indian portion of the non-official block. It cannot be denied that there has been an increasing tendency on the part of the Government benches to ignore questions from the non-official benches. In some cases the replies have been hardly courteous. In other cases the insinuation has been that non-official members put such questions as if to embarrass and harass the members of Government or to throw unnecessary burden on the over-worked Secretariat. Sir, as a non-official member of this Council I must protest against this attitude on the part of the Government. The Government members should know that we offer our services for no monetary consideration but from a sense of duty and if we put any inconvenient question we do that in the exercise of our right and in the discharge of our duty. By putting such questions we try to bring to the notice of the public and of the Government the grievances of the people and the misdeeds of the Government servants. Sometimes we try to indicate the proper policy to the Government by bringing to its notice certain important details that may be helpful in arriving at a policy. In some cases we expect by putting such questions that Government will awake from its slumber and take action. Sir, in view of your ruling I cannot perhaps refer to particular questions, but

I have before my mind's eye a particular question. I think that before that question was put the Government was sleeping over the matter. Sir, I hope that Government will take notice of this feeling of the non-official members of the House.

Reverend B. A. NAG: I am sorry to find this feeling in the House, because some of us feel that the questions are so often so very unimportant that it is a wonder that so much of the time of the Council is taken up with their answer. Take for instance, a question like this—I cannot refer indeed to a particular question—an imaginary question like this "Has there ever been made any appointment or recruitment from any district?" (SEVERAL VOICES: You cannot refer to any question). If I cannot refer to any question, I will say that questions are put often in such a way as cannot at all be called serious and it often involves laborious work for any department of Government to find out the answer. There are people who are always displeased with the method of answers, because the answers reveal a different state of affairs from what the members asking these questions want to make out.

Mr. W. H. THOMPSON: Sir, I am not by your ruling permitted to refer to any particular question, but may I wave before you the back page of the starred questions of to-day? It is covered all over with a mass of figures given in answer to a question. May I commend to members of this House the use which is made of questions in the mother of Parliaments. Question time in Parliament is the time for playing a game, and a neat question which does not get a neat answer is a score to the party that put it. The question is asked not for any information but to make a point. If the Treasury bench does not give a satisfactory answer to a question that is a score to the party that put it. The point having been scored the questioner has to be satisfied; there is no more reference to the question and if the subject is to be raised again, it must be raised in some other manner, for example, by a resolution.

Mr. NARENDRA KUMAR BASU: I did not think that I should intervene in this debate, and I would not do so but for the very childish summary of Parliamentary procedure which we have just heard from an old man. I think that the Government members would be proving themselves wise in the language of Mr. Thompson, if they were to take notice of the feeling in the House. It is possible that sometimes questions go to a far greater length than should be strictly desirable in the public interest, but there are occasions of which every member of the Government benches are aware, where in spite of the question being one of public importance or one that has the feeling of a large section of the public behind it, the Hon'ble Member in charge gives an evasive answer or asks for notice of things regarding which he probably could have replied off-hand. Having regard to this, I hope

the Member of Government will see and realise that the feeling is there. I am perfectly aware that you have ruled times without number that the President cannot compel the Government to answer a question. That ruling shows that the Government Members had on occasions refused to answer a question, whatever the reason might be. In fact, it is the refusal of Government to answer a question, that shows that something is wanting either in the rules or in the matter of privilege.

Babu JITENDRALAL BANNERJEE: Mr. B. A. Nag complains of the nonsensical questions that many of us are inclined to put. What of the nonsensical speeches we are compelled to hear? One of his arguments was that the questions sometimes require an enormous amount of labour on the part of Members of the Government. Very possibly they do; that is their object; these questions are required, meant and intended to involve an enormous amount of labour on the part of the Members of Government. What are the Members of the Government here for unless to satisfy the legitimate curiosity of the members of the Council? That is a part of their duty; they are not here simply to lord it over their offices and draw lordly salaries. The public want information on many points; and members are here to get such information from the Government. That is a fact which Mr. Nag, who does not represent any constituency except the Secretariat, ought to bear in mind. The answers given by the members of the Treasury Benches certainly contain information, but sometimes, Sir, as Mr. Shanti Shekhareswar Ray has complained, they are lacking in courtesy and sometimes they are a mere repetition of stereotyped formulas. Some members seem to think that it is extremely humorous if they can say that "Government have nothing further to add", or if they can refer members to the answer to some previous question. Such humour is very much misplaced; it only creates a feeling of dissatisfaction, and that feeling should be taken due note of by the Treasury Benches.

Khan Bahadur Maulvi AZIZUL HAQUE: In this debate I should like to mention that I myself have a grievance; I am not one of those who is in the habit of putting questions because I sometimes find that it is very difficult to get an answer by a certain date. At present there is no certainty as to when questions will be answered. A question is sent by me, and it is sent to the different departments in the Secretariat, and it depends entirely upon the option of those departments on what date they are to be answered. As these questions are not answered in one session, and they may be answered later on, the questions should be answered in their proper order. But we sometimes find that at the fag end of a session, when the relevancy of a question has been lost, then one particular department comes in with all answers. Mr. Thompson was referring to the huge statistics involved in certain questions relating to a revenue matter. He does not now belong to the

Indian Civil Service, and has forgotten the value of statistics. That is a very valuable piece of information so far as land revenue is concerned, and I must thank the Hon'ble Member that he has taken so much trouble to give us this information. In my district of Nadia, I find that the revenue demand in the temporarily settled estates has been going up steadily year after year, and it is certainly for me to find out why this is so. These questions are not useless, and I think so far as the volume of statistics are concerned, it is true that this has involved a good deal of laborious work. I do certainly realise that we have been sick with the answers regarding process-servers, but barring the question of process-servers, I do not think there is any other question about which the Treasury benches have got any real grievance. My own grievance is that I feel that questions are not answered in their proper order, and if this is done, the House will have no legitimate grievance so far as this is concerned.

The Hon'ble Mr. W. D. R. PRENTICE: It has been interesting to listen to the remarks of members of this Council about our lack of courtesy or failure to answer questions in this Council. I should have thought that any member who studied the question paper every day would realise that we did all in our power to satisfy the desire for information on the part of the Council. There have been complaints about delay, and that questions are not answered in the order in which they are received, but the time that a question takes to answer depends entirely upon what the question is concerned with. If a question concern files that are in the Secretariat and can be answered from information on record there, the answer is complied as quickly as possible, and is sent to the Council. But if it refers to something that happened in a district about which we have no information, we must write to the district and get that information, and if the information refers to matters in a subdivision or thana, the lower down you go, the longer time is required to get that information, and if it refers to one or two districts, or as some questions do to the whole province naturally the compilation of the answer to that question takes longer time still. But I can assure you that so far as the departments under me are concerned—I cannot speak for the other departments—there are definite orders laid down regarding the method in which questions that come in are to be dealt with. It is there laid down that they are to be labelled immediate and treated as immediate right through, and I think that you will find that unless there is any special reason for delay the answers to questions are sent in, just as the questions come in to us. I admit that at times we hold answers back. I cannot refer to individual questions, but in a short time I hope you will get all together the answers to a group of questions which all concern the same matter, and that has been deliberately done because they all represent different aspects of the same question, and it was thought desirable

when the questions came along, to answer them all on the same day. That I admit has been deliberately done, but normally questions as they come in are examined and answered at once and then sent to the Council.

As regards the charge of lack of courtesy, I think I can honestly say that it is not justified, because members listening to the replies given from this side, must realise that the members of the Treasury benches do all in their power to give the information desired by members. Of course we cannot stop questions being put, but we have our duty as Members of Government to consider whether information that is asked for, can be given. We have our duty as Members of Government to consider this in answering questions, and at times it is not always possible to give information. There is one point that I think the first speaker had in mind that questions are sometimes asked which require a large amount of information which is not readily available. There the position of Government is that if the information is available from papers on record, without putting on special staff, as a rule that information is compiled and given, but if it means that you have got to incur extra expenditure, and put on special staff, and take people away from their ordinary duties in order to compile that answer, then as a rule, we do not take up such inquiries. I think it is rather a pity that these charges are made when such an enormous amount of care and trouble has been taken in dealing with questions, and in endeavouring to give answers to the questions as they appear in the order paper. Mr. Shanti Shekhareswar Ray has explained that he put questions for various reasons, but the real object of a question, as stated in section 26(*1*), of the rules, is that it should be asked for the purpose of obtaining information on matters of public concern. What use is to be made later of a question is not stated in the rule, but really questions are not answered in order to initiate policy, but to give in the words of these rules, information on a matter of public concern. On behalf of all the Members of Government, I desire to make it perfectly plain that as Members of the Government, we do earnestly endeavour to answer all the questions as quickly and as fully as is possible.

The question was then put and a division was taken with the following result:—

AYES.

Ali, Maulvi Nasen.
Bajpai, Maulvi Syed Majid.
Banerji, Mr. P.
Bannerjee, Babu Manoranjan.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kishori Mohan.
Chaudhury, Maulvi Nurul Absar.
Ganguli, Maulvi Nur Rahman Khan.
Fazlullah, Maulvi Muhammad.
Siddiqi, Maulvi Abdul.
Hoque, Kazi Emdadul.
Mallik, Mr. R.
Rahman, Maulvi Anisur.
Ray, Mr. Shanti Shekhareswar.
Ray Chaudhury, Babu Satish Chandra.
Rout, Babu Nagendra.
Roy, Babu Haribansa.
Samad, Maulvi Abdus
Shah, Maulvi Abdul Hamid

NOES.

Armstrong, Mr. W. L.
Austin, Mr. J. N.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Sarat Chandra.
Banerji, Rai Bahadur Keshab Chandra.
Barma, Rai Sahib Panchanan.
Bazir uddin, Khan Sahib Maulvi Mohammed.
Blandy, Mr. E. N.
Cohen, Mr. R. J.
Cooper, Mr. G. G.
Dale, Mr. R. R.
Das, Rai Bahadur Kamini Kumar.
Das, Rai Bahadur Satyendra Kumar.
Faroqui, the Hon'ble Nawab K. R. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ganguli, Rai Bahadur Susil Kumar.
Ghose, Raj Bahadur Saroska Somar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkarim, Kt.
Gilchrist, Mr. R. N.
Guha, Mr. P. N.
Haque, Khan Bahadur Maulvi Azizul.
Henderson, Mr. A. R. R.
Hogg, Mr. B. P.
Hooper, Mr. R. G.
Hussain, Maulvi Latafat.
Khan, Mr. Razzur Rahman.
Law, Mr. Surendra Nath.
Lockhart, Mr. A. R. E.
Magsire, Mr. L. T.
Miller, the Hon'ble Sir Provash Chunder.
Mortimer, Mr. N. R.
Mullick, Mr. Mukunda Behary.
Ray, Reverend S. A.
Nandy, Maharaja Sris Chandra, of Kasimbazar.
Nazimuddin, the Hon'ble Mr. Khwaja.
Norton, Mr. H. R.
Petre, Mr. R. F.
Philpot, Mr. N. G. V.
Preston, the Hon'ble Mr. W. D. R.
Prentice, Lt.-Col.
Ray, Babu Khetter Mohan.
Ray Choudhury, Mr. [illegible].
Reid, Mr. R. R.
Roy, Mr. Saiteswar Singh.
Roy, Mr. Sarat Kumar.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Saadatullah, Maulvi Mohammed.
Sahana, Babu Satya Kinkar.
Sarkar, Rai Sahib Rohini Mohan.
Sen, Mr. R. R.
Sen, Rai Sahib Abhoy Kumar.
Singleton, Mr. H. E.
Steven, Mr. J. W. R.
Sumner, Mr. C. R.
Thompson, Mr. W. H.
Townend, Mr. H. P. V.
Wilkinson, Mr. N. R.
Woodhead, the Hon'ble Mr. J. A.
Wordsworth, Mr. W. O.

Mr. PRESIDENT: I have been informed that the Deputy President and Khan Bahadur Azizul Haque passed the Noes lobby but did not pass the tellers. Is that a fact?

Mr. DEPUTY PRESIDENT (Mr. Razzur Rahman Khan): Yes, that is a fact.

Mr. PRESIDENT: According to the rules your votes must be counted and you must be taken as having voted in that particular lobby.

Ayes being 19 and Noes 59 the motion was lost.

MUNINDRA DEB RAI MAHASAI: Mr. President, Sir, I beg to move that the demand of Rs. 13,000 under the head "22D—Executive Council" be reduced by Rs. 100. The object of this motion is to raise a discussion on the desirability of steps being taken for immediate introduction of full responsible Government in the province.

Sir, there is almost an unanimity of opinion about the granting of full responsible Government to the provinces. In the three Round Table Conferences held in London, there were differences about responsibility in the centre; but unanimity prevailed with regard to the provinces. The White Paper just to hand also supports that view. In paragraph 13 of the proposals for Indian Constitutional Reforms

it has been stated that "at the same time His Majesty's Government do not contemplate the introduction of the new autonomous constitutions in the provinces under conditions which will leave Federation as a mere contingency in the future. It is probable that it will be found convenient or even necessary, that the new Provincial Governments should be brought into being in advance of the changes in the Central Government and the entry of the States."

Maulvi TAMIZUDDIN KHAN: Are we discussing the White Paper?

MUNINDRA DEB RAI MAHASAI: I am only referring to that in this connection. But the coming into being of the autonomous provinces will only be the first step towards the complete Federation for which the Constitution Act will provide; and His Majesty's Government have stated that if causes beyond their control should place obstacles in the way of this programme they will take steps to review the whole position in consultation with Indian opinion.

Now, Sir, it is sufficiently clear from the statement that the coming into being of the autonomous provinces will only be the first step towards the complete Federation which has been assured. It is also stated that "provision will accordingly be required in the Constitution Act for the period, however short it may be, by which provincial autonomy may precede the complete establishment of the Federation". The nature of the transitory arrangements contemplated for this purpose is explained in paragraph 202 of the proposals which provides that the Constitution Act though treating the Federation as a whole will contain provisions enabling the provincial constitutions for which it provides to be brought into being if necessary before the constitution as a whole comes into being. Transitory provisions, also to be included in the Constitution Act, will enable in that event temporary modifications to be made in the provisions of the Constitution Act for the purpose of continuing the existence of the present Indian Legislature, of removing the limit to the Councillors whom the Governor-General may appoint, of placing the administration of all departments of the Central Government under Governor General's exclusive control and of suspending the operation of the provisions relating to the Council of Ministers.

The Hon'ble Mr. W. D. R. PRENTICE: Is a discussion of the White Paper in order when we are discussing the budget of the Government of Bengal?

Mr. PRESIDENT: Are you one of those who expressed a desire to discuss the White Paper on a special day and signed a notice to that effect?

MUNINDRA DEB RAI MAHASAI: No, Sir, I did nothing of the kind. Broadly stated the effect of these transitory provisions will be that the executive of the Central Government though necessarily deprived of much of its present range of authority in the provinces would for the time being be placed in substantially the same position as that occupied by the Governor General in Council under the existing Act. Sir, there is a divergence of opinion about Central responsibility with safeguards. The date and conditions for the inauguration of Federation are uncertain. Prerequisites of a financial character to the inauguration of responsible Federal Government are based on the assumption that before the first Federal Ministry comes into being a Reserve Bank, free from political influence, will have been set up by Indian legislation and be already successfully operating. The bank would be entrusted to the management of currency and exchange. The report of the Committee of the Third Round Table Conference on Financial safeguards mentions these conditions which have to be fulfilled "that the Indian budgetary position should be assured, that the existing short term debt both in London and in India should be substantially reduced, that adequate reserves should have been accumulated and that India's normal export surplus should have been restored. The successful establishment and operation of such a bank depended to a great extent on the world economic conditions and the present is not the opportune time for fulfilling the conditions just mentioned. The final discussion with the States with regard to their Instruments of Accession and the execution of the latter will take years to achieve. We have anxiously waited for the last few years for the fulfilment of the Premier's historic declaration which have been indefinitely put off. Many untoward events have happened in the meantime: political discontent is widespread, economic distress has reached the extreme point and the subversive movement associated with most heinous crimes are rather on the increase. The last few years have seen the governance of the country by Ordinances and now the provisions contained therein have found places in the Statute Book. But that would not achieve the desired end. Repressive measures have added to the difficulties. The discontent has been driven underground. Any further delay would be dangerous. Sir, I quite agree with those who advocate that autonomy in the provinces would be meaningless until the relations with the Centre are adjusted. But I have already pointed out that it has been definitely stated in the proposals that His Majesty's Government do not contemplate the introduction of the new autonomous constitution in the province under conditions which leave Federation as a mere contingency in the future. Sir, with this assumption let us proceed a step forward. If we believe in the *bona fides* of the Government I think we may ask them to take a forward step. I think provincial autonomy will not stand in the way of the Federation of All India and the problem

of Central Responsibility. I should, therefore, ask the Government to take steps for immediate introduction of full responsible Government in the province. There cannot be any question at this late hour of the day about our fitness to wield power. We may commit mistakes but, Sir, mistakes are the experience of life. I hope Government will not create difficulties or hesitate to support immediate provincial autonomy.

With these few words I commend my motion to the acceptance of the House.

The Hon'ble Mr. W. D. R. PRENTICE: As the House is not in a mood to listen to any speech I do not want to make any speech on it. I oppose the motion, Sir.

The motion of Munindra Deb Rai Mahasai was then put and lost.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 13,000 under the head "22D—Executive Council" be reduced by Rs. 100 (to discuss the methods adopted by Government to deal with the present political situation).

The Government has signally failed to cope with the present political situation. All sorts of repressive measures have been resorted to but they have failed to achieve the end. Repression is not the real remedy for political ills. The people had enough experience of indiscriminate *lathi* charges and firing by the police but that has not been able to crush the spirit of nationalism which is pervading throughout the length and breadth of the country. Most ugly things are being done in the name of law and order. I should like to cite a recent instance to show how police excesses are being perpetrated with impunity in the *mufassal*. At Badanganj three village urchins came out with national flags on the Independence Day—I believe it is 26th January. As soon as they appeared, the local police seized them and assaulted them severely. It was a hot day and the people were naturally attracted to the spot. The head constable apprehending trouble ordered firing. The crowd dispersed after a few shots were fired.

The Hon'ble Mr. W. D. R. PRENTICE: On a point of order, Sir. This case is under trial now I am told.

Mr. PRESIDENT: Do not refer to it, please, Rai Mahasai.

MUNINDRA DEB RAI MAHASAI: All right, Sir. In a communique issued lately attempts have been made to whitewash the action of the police on the usual brickbat theory. I had been to Badanganj and ascertained everything necessary for the purpose.

This sort of hush hush cannot enhance the reputation of the prestige of Government. The whole policy has got to be changed; conciliation can cure many evils but repression cannot.

With these remarks I commend my motion to the acceptance of the House.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, this is another motion on which I gather the Council wants no speech.

The motion of Munindra Deb Rai Mahasai was then put and lost.

Mr. NARENDRA KUMAR BASU: Sir, I beg to move that the demand of Rs. 13,000 under the head "22D—Executive Council" be reduced by Rs. 100 (to call attention to the non-acceptance of the recommendations of the Retrenchment Committee with regard to the Reserved Departments).

Sir, I need not waste much time over commending this resolution to the House. The members of the House are aware that the total reduction recommended by the Retrenchment Committee regarding the reserved departments was about Rs. 49 lakhs. From the papers circulated by the Finance Department regarding the approximate financial effect of retrenchments which have been accepted by Government after considering the proposals of the Retrenchment Committee, we find that barely 4 per cent. of that has been accepted and of course that 4 per cent. is composed largely of the reduction of rupees one lakh under "Stationery and Printing." The other huge spending departments more specially——(The Hon'ble Mr. J. A. WOODHEAD: There has been more reduction). Well, that is how the figure works out. It is for the Finance Member to juggle with his figures, and show more. So far as "Stationery and Printing" is concerned, there has been a substantial reduction of Rs. 1,29,000, but so far as other departments are concerned—I am talking exclusively of the reserved side of Government—the House will see that in the hugest spending department—the Police—the reduction is only Rs. 21,650 and in the Jails the reduction is shown as only Rs. 6,000. But members of this House are aware that in the supplementary memorandum that has been circulated, bigger and bigger items of expenditure have been included, so that in fact the reductions included in the budget have been more than wiped out. I submit that so far as the recommendations of the Retrenchment Committee are concerned, I am not going to put them all in detail, but there are specially some which may surely have been given effect to. Taking firstly the items under "General Administration," the reduction of the Cabinet, the provincialisation of the post of Secretary to the Board of Revenue, the reduction of Secretaries and Secretariat staff, the reduction, if not

the abolition, of the Divisional Commissioners, and in the Police the abolition of two Deputy Inspectors-General, the reduction in the number of Assistant Superintendents of Police, the abolition of the railway and river police and a reduction in the higher ranks of the Calcutta Police—these, I submit, might very easily have been given effect to. Government has given scant attention to economy and to the recommendations of the Retrenchment Committee in giving the go-by to these recommendations. I submit, Sir, that in these days when, according to everybody, according even to the Finance Member, Bengal can hardly afford to spend so much money for its administration, when avenues of economy were opened out to the Finance Member by the Retrenchment Committee consisting of a very senior member of the I. C. S. and members from all sides of this House—I mean Hindus, Muhammadans and Europeans—I submit, that far greater attention ought to have been directed to the unanimous report of this Committee, and the Finance Member might very well have accepted some more of the recommendations so far as the reserved side is concerned.

The Hon'ble Mr. J. A. WOODHEAD: I propose, Sir, to deal with the motion only from the general point of view because in spite of Mr. Basu's compliment to me—for which I thank him—I may explain to the House that the Finance Member is not an autocrat, the decisions reached are those of the local Government and not of the Finance Member.

Mr. NARENDRA KUMAR BASU: If the Finance Member puts his foot down it is finished.

The Hon'ble Mr. J. A. WOODHEAD: On Mr. Basu?

Mr. Basu asserted that the amount saved by the retrenchments so far effected represent only four per cent. of the savings recommended by the Retrenchment Committee. According to the memorandum circulated the savings effected are, as far as I have been able to calculate, as follows: The Retrenchment Committee proposed savings of Rs. 49,08,000 on the reserved side. The memorandum we circulated shows that the savings effected on the reserved side amount to Rs. 6,10,000, which I calculate to be one-eighth or about 12 per cent.

Mr. NARENDRA KUMAR BASU: Is it with reference to this memorandum or with reference to something else?

The Hon'ble Mr. J. A. WOODHEAD: I refer to the memorandum which was circulated. I anticipated the point which Mr. Basu was likely to make and according to my calculation the ultimate saving comes to Rs. 6,10,000 on the reserved side (Mr. N. K. BASU: Oh! you mean ultimate expenditure); Yes, the Retrenchment Committee's figures are also based on ultimate expenditure. So about 12 per cent. of the recommendations has been given effect to. On the general question I have nothing further to say. As regards specific cases to which Mr. Basu has referred, the Hon'ble Mr. Prentice will deal with them.

The Hon'ble Mr. W. D. R. PRENTICE: The cases to which Mr. Basu refers—I think I have got them correctly—are: Cabinet, provincialisation of the post of Secretary to the Board of Revenue, reduction of Secretaries and Secretariat staff, the abolition of Commissioners, reduction of Deputy Inspectors-General, reduction of Assistant Superintendents of Police, abolition of the Railway Police, as well as the reduction in the number of the Deputy Commissioners of Police in Calcutta.

As regards the Cabinet we have had a discussion about one side of the Cabinet on Thursday last and Mr. Basu knows what happened. The second question will be discussed a little later and we will see what the Council say about that. The five items that come next, all refer to Imperial Services and affect the cadre of the Imperial Services and the Provincial Government is not competent to deal with those appointments on its own. To provincialise the post of Secretary to the Board of Revenue, however desirable, means that the post must be taken away from the superior cadre of the I.C.S. and the only person who can do that is the Secretary of State. The same thing holds good with regard to Commissioners, Secretaries, Deputy Inspectors-General, and Assistant Superintendents of Police—all are members of the Imperial Services about whom the Secretary of State in Council alone can pass orders. However, the various items included in that list will come up later during the further discussion of the grants and I need not go into the merits of each case now. As regards the Railway Police, that will come up in connection with the Police budget and so also will the Calcutta Police. But I may say now that certain orders have already been passed in connection with the Calcutta Police. For instance, we have decided to keep the post of a Deputy Commissioner of Police temporarily vacant as an experiment. It is impossible to deal with this cut motion in all its details, but I hope the Council will recognise that all these cases are under examination and that where we can pass orders we are

doing so, but that most of the cases referred to are not within our power to deal with.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Sir, I rise to support my friend Mr. Narendra Kumar Basu. I do not wish to go into details. As has been said by Mr. Prentice, there will be opportunities for us to discuss particular items later on, although I do not know whether in the short time allotted to us for discussing these subjects the most important items of expenditure will be reached. The point I wish to emphasise here is the subject not of Indianisation but the provincialisation of the Services. I have given a cut motion on that point but I do not think we shall reach that motion, and I therefore take this opportunity to draw the attention of this House to it. I do not wish to confine myself to the provincialisation of the post of the Secretary of the Board of Revenue only but generally to all services, as I mentioned in a previous speech while discussing the budget. I think that all Imperial Services should be provincialised, because under the Provincial Autonomy, which we are going to have in the near future, the two kinds of services cannot co-exist. I do not object to the recruitment of experts from Europe or from any other foreign country——

Mr. NARENDRA KUMAR BASU: My motion is with regard to the recommendation of the Retrenchment Committee.

Khan Bahadur MUHAMMAD ABDUL MOMIN: I am going into that. There is a recommendation of the Retrenchment Committee that many posts in the Imperial Services can be manned by Provincial Service men. I put emphasis on that point particularly in this connection. I feel that the present system of simultaneous recruitment for the Civil Service is inherently defective. If, as I have said, you want experts or you want men of superior calibre from Europe, certainly you can have them and give them any pay, but so far as the main services are concerned, recruitment must be made in Bengal and from Bengalis. The recruitments now made by the examination at Allahabad do not furnish us with recruits who are in any way superior to those whom we get for the Provincial Services of this province. From the economic point of view alone I think this is a very important point and I wish to draw the pointed attention of the Treasury benches to this aspect of the question which requires immediate solution. I think not only money is wasted but the efficiency of the Provincial Services is affected by this method of

recruitment. With these words I support the motion of Mr. Narendra Kumar Basu.

The motion was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Banerji, Mr. P.
Banerji, Rai Bahadur Kochab Chandra.
Banerjee, Babu Jitendralal.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Chaudhuri, Babu Kisheri Mohan.
Chaudhuri, Dr. Jogendra Chandra.
Chaudhuri, Khan Bahadur Maulvi Allimuzzaman.
Chaudhary, Maulvi Nurul Absar.
Chawdhury, Maulvi Abdul Ghani.
Dutt, Rai Bahadur Dr. Haridhan.
Fazlullah, Maulvi Muhammad.
Goenka, Rai Bahadur Badridas.
Guha, Babu Profulla Kumar.
Gupta, Mr. J. N.
Hoque, Kazi Emdadul.
Hossain, Maulvi Muhammad.
Karim, Maulvi Abdul.
Khan, Maulvi Tamizuddin.
Maiti, Mr. R.
Mittra, Babu Surat Chandra.
Momin, Khan Bahadur Muhammad Abdu
Mookerjee, Mr. Syamaprasad.
Poddar, Seth Hanuman Prasad.
Quasem, Maulvi Abul.
Rahman, Maulvi Azizur.
Rai Mahasai, Manindra Deb.
Ray, Babu Amulyadhan.
Ray, Babu Nagendra Narayan.
Ray, Mr. Shanti Shekheswar.
Ray Chawdhury, Babu Satish Chandra.
Rout, Babu Nozzui.
Ray, Babu Haribansa.
Samad, Maulvi Abdus.
Singh, Srijut Taj Bahadur.

NOES.

Austin, Mr. J. M.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Sarat Chandra.
Bazir Uddin, Khan Sahib Maulvi Muhammad.
Blandy, Mr. E. N.
Burai, Rai Bahadur Gokul Chand.
Chaudhuri, Maulvi Syed Osman Haider.
Chawdhury, Haji Badi Ahmed.
Cohen, Mr. D. J.
Cooper, Mr. G. B.
Dain, Mr. B. R.
Das, Rai Bahadur Kamini Kumar.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ganguli, Rai Bahadur Sushil Kumar.
Ghaznavi the Hon'ble Alhaj Sir Abdulkarim, Kt.
Gilchrist, Mr. R. N.
Guha, Mr. P. R.
Henderson, Mr. A. G. B.
Hogg, Mr. G. P.
Hooper, Mr. G. G.
Hussain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Khan, Mr. Razaur Rahman.
Lockhart, Mr. A. R. E.
Maguire, Mr. L. T.
Mitter, the Hon'ble Sir Provash Chunder.
Mortimer, Mr. H. R.
Mullick, Mr. Mahanda Behary.
Nag, Reverend B. A.
Petre, Mr. B. F.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Prentor, Lt.-Col.
Raheem, Mr. A.
Rahman, Mr. A. F. M. Abdur-.
Ray, Babu Khetter Mohan.
Ray Chawdhury, Mr. K. G.
Reid, Mr. R. N.
Ray, Mr. Saheswar Singh.
Ray, Mr. Sarat Kumar.
Ray, the Hon'ble Mr. Bijoy Prasad Singh
Ray Choudhuri, Babu Hem Chandra.
Saadullah, Maulvi Muhammad.
Sahana, Babu Satya Kinkar.
Sarker, Rai Sahib Rabati Mohan.
Sen, Mr. G. R.
Sen, Rai Sahib Akshoy Kumar.
Sulaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Thompson, Mr. W. H.
Tawsend, Mr. H. P. V.
Wilkinson, Mr. H. G.
Woodhead, the Hon'ble Mr. J. A.
Wordsworth, Mr. W. G.

The Ayes being 36 and the Noes 55 the motion was lost.

(The Council was then adjourned for 15 minutes for prayer.)

(After adjournment.)

Mr. PRESIDENT: To save the time of the Council I might make one suggestion in regard to motions Nos. 258, 259, 261, 262, 263, 270 and 271. All these motions propose a substantial cut in the Ministers' salary and their staff and I think that, if we take up 260, which proposes to discuss the question of the reduction in the salary of the Ministers in view of the economic condition of the country, and find it thrown out by the House, we need not take up the rest. On the other hand, if the motion is carried, the rest may be moved one by one.

Babu JITENDRALAL BANNERJEE: Sir, so far as motion No. 260 is concerned, the member has based it on economic ground, but so far as the other motions are concerned, we do not know what actuated the members——

Mr. PRESIDENT: I shall take up all the token cuts separately. My suggestion is only with reference to those motions which propose an economic cut of a substantial character.

Mr. P. BANERJI: I beg to move that the demand of Rs. 1,81,600 under the head "22E—Ministers" be reduced by Rs. 91,600.

In doing so, I have only provided for Rs. 30,000 for each of the Ministers, that is Rs. 2,500 per month. In this connection I would point out that Ministers of the Bengal Government are not as important as Ministers of the Home Government. (VOICE: Why not? Why not?) It has been stated here in this House by many members even to-day, that it is not so, and I do maintain that it is not. Therefore I do maintain that in a poor province like Bengal with a deficit budget the Ministers should not be enjoying such a fat salary as Rs. 64,000 less 5 per cent. Members of the English Cabinet draw as much as £2,500, that is equal to a little over what I have suggested for the Ministers. The Retrenchment Committee also recommended that the salary of the Ministers should be Rs. 2,500. (A VOICE: For future Ministers.) Whether for the present or future Ministers is not the point. The point is that with a deficit budget and with no provision for the departments in their charge excepting rupees one lakh for the Industries Department, we are not justified in budgeting this large amount for the Ministers. They often complain that there is absolutely no money to enable them to carry out any schemes to satisfy the general public. They claim to be very popular, but they cannot do anything to satisfy the general public. I do not dispute the fact that they are very popular with the Government, but I was given to understand by the Hon'ble the Home Member that the Retrenchment Committee proposed that there should be 5 members in the Cabinet, *viz.*, four Executive Councillors and one Minister, that is reducing the number of Ministers

by two. It may be that the Committee held that view. But at the same time it has been said in this House that the 7 links of the Government must be maintained in view of the fact that after two years or so, when the Reforms will come, 7 Ministers will be necessary. That is a future contingency which we need not consider here. At the present time, and under the present deplorable conditions of the finances of the Province, the Ministers in order to be popular should at once come forward and offer, just as they did in connection with the 10 per cent. cut last year, to contribute a certain portion of their salaries towards the development of their departments. They have not done so, and we have seen from bitter experience that nothing will be done. It is only possible to do this, by bringing in a motion like this. Last year, when I advocated that the Ministers should have less salary, I was accused of being unreasonable in suggesting any reduction either in the salaries of the subordinate officers or the Ministers, and the argument put forward was that lawyers had not reduced their fees, doctors had not reduced their fees, and business men had not reduced their interest, therefore it stands to reason that neither the Ministers nor any Members of the Government should accept a reduction. I regret to see that there are some who would not see beyond their noses. You know, Sir, what happened after the adjournment of the House. They had to accept a 10 per cent. reduction. The Finance Member by a jugglery of figures, as suggested by Mr. Narendra Kumar Basu and Dr. Sen Gupta, has reduced the deficit by about Rs. 48 lakhs, but the deficit really is over 2 crores. Therefore, Sir, under these circumstances, I think they ought to accept a reduction, and the reduction I have suggested, that is Rs. 2,500 per month, is a reasonable one, if not for anybody else, at least for these gentlemen. Sir, it has been maintained that the Ministers should have the same status and pay as the Members of the Executive Council, but they forget the fact that we are not competent to do anything so far as the salaries of the Members are concerned; that rests with the Secretary of State. They also maintained, and quoted Mr. Tilak who once said, that the Ministers must not get less salary than the Members. They quoted Mr. Tilak only to suit their convenience, and to retain their fat salaries. Some members have just mentioned to me that the Ministers' salaries must be retained. I would charge them with some sort of motive. They always maintain that because the Ministers draw fat salaries, and practically do nothing, that we have brought this vote of censure against the Ministers. It has been also said that if salaries are reduced, when A or B might later on be made a Minister, and then they would draw a reduced salary, so it is better if the salaries are maintained at their present figure. That is not my idea, but that is the idea of most of the members of the House to-day who desire to be transferred to that chair some day, otherwise, seeing the most deplorable financial condition of the Province, they should have accepted such a reasonable proposal. When the Swarajists

will come they may perhaps suggest a salary of Rs. 500, but here I have suggested Rs. 2,500. With these words, I commend my motion to the acceptance of the House.

Babu KISHORI MOHAN CHAUDHURI: I beg to move that the demand of Rs. 1,81,600 under the head "22E—Ministers" be reduced by Rs. 73,600.

My proposal is that instead of Rs. 64,000 the Ministers may be paid Rs. 36,000 each, and there will be a 5 per cent. cut, and a proportionate deduction might be made, and that on that calculation it comes to Rs. 73,600. I bring forward this motion, Sir, not in a spirit of any distrust or want of sympathy towards our Ministers; I have a great regard for them. It is not for the first time that I propose such a reduction. I tried to reduce the number in the first Council, but I was not successful. Whatever may be the views of the Hon'ble Mr. Prentice, that perhaps without much knowledge of the financial affairs of the province, we brought forward such a motion, but he forgets that some of us have sufficient knowledge of the working of Government. I myself have had 4 years of experience when I had full opportunity of discussing the proposals of the Chelmsford-Montagu Reforms, and we deliberately came to the conclusion, that the number should be reduced. I brought forward one motion for the reduction of the Executive Council Members, and another for a reduction in the number of Ministers. It was rumoured at that time that I was not successful in reducing the number simply because in some quarters it was thought that of the three Ministers the least qualified might be dispensed with. I can assure you that in moving that resolution such a thing was not in my mind, I moved it without any distinction. I would be quite satisfied with one Hindu and one Muhammadan Minister. It was not in communal feeling that I brought forward that resolution in the Council; however it did not succeed. I then brought forward a resolution for reducing the salaries of the Ministers, and as you will perhaps remember, we were then assured by each of the Ministers that they would practically surrender Rs. 64,000 each on charitable purposes. We were assured by Sir Surendra Nath Banerjea and Sir P. C. Mitter, who was then the Education Minister that they really spent more than that for charitable purposes. Sir, the Ministers are people's men; they come here in a representative capacity and our suggestion is that they should have regard to the situation of the province. Thousands and thousands are suffering for want of employment under economic pressure and trade and commercial depression. This is not the time when the people's representatives should think of aggrandising themselves at the cost of the peoples' money. I know that the present Ministers are all very charitable men and spend a good deal of money on maintaining their position but with reduction of their pay they will be equally able to manage sufficiently well. I appeal through you, Sir, to our Ministers to come forward and not point to the example

of the Hon'ble Members, who are, if I may say so, foreigners and have no sympathy with us. They have come here to rule and to rule anyhow and make money. I was once asked by His Excellency Lord Ronaldshay when I had a talk with him on the subject at the time of the Parliamentary discussion why we objected to giving our Ministers so much pay when we were agitating for equal pay for them, pay equal to that of the Executive Councillors. Of course my humble reply was that at that time we did not know that there would be 7 but we thought there would be 4 members of the Cabinet altogether—two for the Executive Council and two Ministers. All along we had that idea. At the beginning of the Reforms we saw that a topheavy administration was provided for Bengal and we found that we were not in a position to maintain it, and also that a mistake was made in allocating the revenues to this province. We protested against this topheavy nature of the administration and suggested reduction both in the number of the Cabinet and their pay but nothing could be done. In the first year we were told that Ministers would surrender Rs. 16,000 each out of their pay, but they did not do that. I submit that they should do so now. If that is done, a good deal can be accomplished for removing unemployment in these days and now that living has become very cheap the Ministers will not find it difficult to maintain their position and dignity. If they will kindly consent to this arrangement nearly Rs. 50,000 can be set apart for solving of the unemployment question and providing funds for giving employment to many under the State Aid to Industries Act. I know only the other day His Excellency announced that our Hon'ble and popular Minister, Khan Bahadur Nawab Faroqui tried to collect over Rs. 40,000 for a public school and he himself contributed Rs. 50,000 towards the unemployment problem. In this way if he can show the way and if he consents to a deduction of Rs. 28,000, from his pay then I believe the other Ministers who are all very kind-hearted men will follow him. In this way a good deal can be done. I appeal to them to do so and I hope my appeal will not go in vain. Sir, we have come here to do good to our people. In the whole of this province many persons have been working as chairmen of district boards, vice-chairmen of municipalities and in other ways are spending a good deal of their time over these matters and they have been doing this without any remuneration. In this Council you will remember, Sir, that the late Babu Surendra Nath Roy consented at our request to do the work of the Deputy President in the first Council without any remuneration at all; he performed the work of the President of this Council also during the illness of the Hon'ble Sir Shamsul Huda for several months without remuneration. If that would be done by one of us cannot the same thing be done by people who are equally rich and kind-hearted? Should they not come forward and make some sacrifice for the country? This is an insistent as well as a reasonable demand. We are in deficit for the last three years and we have been going on contracting debts without any hope of being

able to pay them off and are simply waiting for the Meston Award being upset to our advantage, and on the probability that our debts will perhaps be remitted, and that under the new Reforms we should be in a flourishing condition. How far that hope will be realised, God alone knows, but so far as the present circumstances are concerned, I think it is reasonable and proper on our part to make this demand to the Ministers to agree to this reduction in their salary. With these few words I move my motion.

Mr. PRESIDENT: What would happen, Mr. Basu, if you take Nos. 263 and 270 together and make one speech on them? Or you might perhaps drop your motion No. 263 and move only 270?

Mr. NARENDRA KUMAR BASU: I would like to move both of them and make one speech

I beg to move that the demand of Rs 1,81,600 under the head "22E —Ministers" be reduced by Rs. 66,000,

or alternatively that the demand of Rs 2,00,000 under the head "22E—Ministers" be reduced by Rs. 1,33,332.

The first motion is that the sum now spent over the salaries of the Ministers be reduced by Rs. 66,000. This end can be achieved in two ways. The first is by reducing the number of Ministers from three to two, both of them drawing the same salary as they are doing at present, and, secondly, by reducing the salary of the three Ministers, each of them getting Rs 3,500 a month.

Speaking to this motion I confess I am——

Mr. PRESIDENT: What about 269?

Mr. NARENDRA KUMAR BASU: I am not going to move that. So far as motion No. 263 is concerned—for reducing the amount by Rs. 66,000, my submission is that one feels a sort of a sense of oppression in having to move a similar motion year after year especially in a House which has outlived its normal life and is going on by the grace of the Government from extension to extension; for the last few years we have been told by a certain section of the House that we cannot touch the Ministers because we are in a state of transition in the constitutional problem; by the grace of Government this stage of transition has to the advantage of the Ministers been extended from one year to two years, and again to three years and one does not know how long this stage of transition will last. But, Sir, it is rather difficult for one to keep one's patience with this sort of argument; if one honestly feels that it is necessary that the money spent over the salaries of the Ministers should be reduced, then one ought not to stop one moment in voting for the reduction, transition or no transition. I should think that if one felt that the salary paid to the Ministers was too much—I am not now discussing the question of the personnel of the Ministers—if one feels

that it is too much so far as the province is concerned, so far as the economic condition of the province is concerned, it does not matter a jot or tittle whether you are going to pay them this salary for six months or for six years. It is your duty to vote for a reduction now and here. I submit, Sir, that the question of the prestige of an officer depending upon his pay has now been exploded as a myth. We have not heard one argument on the floor of this House to support the old bogey that because the Members of the Executive Council draw a certain sum, which has been fixed by Parliament and which cannot be touched by this House, therefore if you were to pay their colleagues less than that sum you would be undermining their prestige. I confess that I cannot bring myself to understand this sort of reasoning. The prestige of a man does not depend, as far as I can judge, upon the salary that he is paid. The prestige of a person depends upon his ownself—if he has some internal value of his own, if he is really good for some work—that is prestige. I submit, Sir, that this question of prestige depending upon pay is something which is absolutely knowingly put forward as an argument to draw away the reasoning of men from right things. Then, again, if the question of prestige were to weigh with some of the members of this House, I would appeal to them to vote for this cut in order to reduce the number of Ministers. The first motion that I am moving now is to reduce the number of Ministers by one, that is to say, instead of three let there be two. Sir, I am not afraid of the communal bogey. So far as I am concerned and so far as the dyarchical Government is concerned, I do not care whether there are two Hindus and one Muhammadan or one Muhammadan and two Hindus or for the matter of that one Muhammadan. If it is necessary for the purpose of economy of the country to reduce it by one, I would certainly reduce it by one—it does not matter to me personally whether the balance of Hindus or Muhammadans in the Cabinet is disturbed. I do not think many more words are needed to commend my motion to the acceptance of the House. Sir, I am quite sure that this matter has been before the House for such a long time that members have made up their minds to vote one way or the other in each of these motions and I am not going to multiply words in favour of them. But to those who jib at the communal bogey I would say that motion No. 270 is to be commended to their attention. There I say, have one Minister instead of three. So far as the communal bogey is concerned, speaking for myself, as I have already said, there is nothing in that argument, and even if the number were reduced to one—and here I must descend into personalities—I do not think that, by so doing and retaining, say Mr. Khwaja Nazimuddin as the only Minister, you will be doing any harm to the present personnel of the Cabinet.

So far as he is concerned, Mr. Khwaja Nazimuddin sits in that bench and on the two sides of him sit the other two Ministers. The one to his

left is a triune personality—he is first a "Kazi" then a "Golam" and then a "Nawab". So far as the gentleman to his right is concerned, he is known to be a Hindu Minister, but I do not think he is as much partial to Hindu interests as his colleague Mr. Khwaja Nazimuddin is in regard to Muhammadan interests.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I refuse to be partial to any particular interest.

Mr. NARENDRA KUMAR BASU: So far as the Ministry is concerned, it does not matter at all if the other two Ministers are immediately removed from the scenes of their present sphere and if Mr. Nazimuddin sits supreme. I therefore say, Sir, that for purposes of efficiency of the present Ministry it would be quite all right if we had only one Minister instead of three. With these words I commend my second motion to the acceptance of the House.

Mr. PRESIDENT: There is one more motion, No. 271, which proposes a cut on economic grounds.

Mr. SYAMAPROSAD MOOKERJEE: Sir, I beg to move that the demand of Rs. 2,00,000 under the head "22E—Ministers (Transferred) —General Administration" be reduced by Rs. 37,600, the effect of which is that the salary of each Minister will be reduced to Rs. 4,000 a month.

Sir, one of the reasons why I selected this figure of Rs. 4,000 was that the last Retrenchment Committee recommended that so far as the Members of the Executive Council or Ministers appointed under the present constitution were concerned, they should receive a salary of Rs. 4,000 a month. Of course it is put in a somewhat mysterious form, because I find that the members of the Retrenchment Committee had an abundance of regard and affection for the present Members of the Cabinet and therefore for reasons which it is difficult to explain, the Committee says that the Members appointed in future should be appointed on a pay of Rs. 4,000 per mensem. Personally speaking, I am not prepared to make a distinction between the present incumbents and the incumbents that might come in future under the present constitution. As my friend Mr. Basu pointed out, during the last few years we have discussed the question of reduction of the salary of Ministers a number of times when we are considering the budget estimate for the year. Sir, the first point which I would like to lay stress upon is that there is no country in the world where a salary of Rs. 64,000 per year is payable to the Ministers of the Government. I would, Sir, challenge the Hon'ble Mr. Prentice to point out a single instance in any country where the salary payable to a responsible Minister is more than or even equals Rs. 64,000.

Sir, I have no desire to refer in detail to the salaries payable to the Prime Minister or other Ministers of England. There is one point to which I would draw your special attention and that is that whereas

in the case of England the average *per capita* income comes to about Rs. 12,000, in India it comes to about Rs. 116. I am giving Mr. Shirras' figure—I hope Mr. Gilchrist will correct me if I am wrong—which comes to about Rs. 116. According to Mr. K. T. Shah's figure, it comes to Rs. 52 and if you accept that figure, so much the better. But even if you accept Rs. 116 it will serve the purposes of comparison. So if you take the salary of the British Prime Minister, it comes to about 60 times the average *per capita* income of an ordinary Britisher. But if you take the salary of a Minister in this unfortunate country, you will find that it is more than 400 times the average *per capita* income of an ordinary Indian; it comes to about 1,230 times the average income, if you accept Mr. K. T. Shah's figure. If you turn, Sir, to the salary of Ministers payable in the British dominions where the *per capita* income is much more than the *per capita* income in India, you will find that in Canada the Prime Minister gets about Rs. 45,000 a year, the Ministers get Rs. 3,000 each per month; so far as the provincial Ministers, are concerned, they get much less than this figure. The same, Sir, is the case with regard to the other States—New Zealand, Australia, South Africa. Again when you come to the Irish Free States the salary of the Prime Minister there was Rs. 35,000 a year, but when Mr. DeValera assumed office, he brought it down to Rs. 13,000 per year. If you go to Germany there President Hindenburg gets a salary of about Rs. 55,000 per year *plus* certain allowances. Our hon'ble friends, the Members of the Cabinet and Ministers, may congratulate themselves that in one respect at any rate they have out-Hindenburged Hindenburg—surely, not a mean achievement. The same Sir, is the case in Italy where the salary of Ministers is Rs. 16,000. If you go to Japan, which is an Eastern country, the salary of the Prime Minister there is Rs. 14,000 and the salary of other Ministers is Rs. 9,400 per year. So I think I am correct in saying that there is no country in the whole of the civilised world where the salaries payable to the responsible Ministers of the Crown are equal to what is payable in British India. One of the reasons of course was that this salary was meant for people coming six thousand miles from their home, for serving the interest of India—and incidentally their own! But there is no reason why the salaries payable to the children of the soil should not be reduced. Now, Sir, when we turn to one of the sister provinces, the province of Bombay, we find there a state of affairs which certainly deserves special consideration.

Sir, a time there was when a distinguished son of Bombay said that "what Bengal thinks to-day, the rest of India thinks to-morrow"—that was years ago. At any rate to-day in 1933, we must ask our friends, the Ministers in Bengal, to do what the Ministers are doing in Bombay without any loss of efficiency so far as the administration goes. We find, Sir, that in Bombay not only has the size of the Cabinet been

reduced, but the salary of the Ministers has been fixed at Rs. 4,000 per mensem, while the salary of the Members of the Executive Council continues to remain at Rs. 5,333 odd, *i.e.*, Rs. 64,000 a year (Dr. NARESH CHANDRA SEN GUPTA: It was a voluntary cut). I am told by Dr. Sen Gupta that it is a voluntary sacrifice. That, Sir, speaks all the better for the Ministers themselves. I do not think that the Ministers in Bombay have suffered in the eyes of the world or that their prestige has been affected in any way by receiving a salary of Rs. 4,000 a month. On the other hand, if you look at their names you will find that Government have not been slow in recognising their services and they have given honours to those gentlemen who have rendered distinguished services to the State. I often think of the fine sentiment which the Hon'ble Mr. Prentice sometimes tried to express while speaking on the Terrorists Outrages Bill. He reminds us that he is—not he alone but his Government are—anxious that they should hand over to the Government that is coming in the future a fine and noble record of work and service so that they may be able to follow in their footsteps. This would certainly be a fine example to leave behind. I would appeal to the Hon'ble Ministers —it has been already made perfectly clear that these motions are not in any way to be regarded as a censure upon the present personnel—I would appeal to them to pause for a moment and consider whether it would not be possible and desirable to accept a lower salary which would be compatible with their position and dignity, at the same time deliberately making a distinction between themselves and the reserved side of the Cabinet, which practically belongs to the class of untouchables because we cannot touch their salaries. I hope, Sir, my appeal will not go in vain.

Mr. PRESIDENT: Those who want to speak on motions of economic cuts of a substantial character may do so now. Those who want to criticise the policy or administration of the Hon'ble Ministers may wait till the token cuts relating to such matters are moved.

Babu JITENDRALAL BANNERJEE: I am afraid I shall have to oppose the whole series of these motions. I say I am afraid—for on three previous occasions I had the honour of moving a total refusal of the salaries of Ministers: but that was as a protest against Dyarchy on principle, and I never based my opposition upon the feeble ground of economy alone.

In view of the striking developments foreshadowed in the White Paper, the present debate seems to me to be worse than academic—it is futile, purposeless and fruitless to a degree. It seems we are like children toying with pebbles upon the shore, while the great ocean of life roars and rushes before us, big with untold possibilities that may make or mar our destiny. Sir, the future is before us with its strange contexture

of colours, now bright with glimmering hope, now dark with shadows of coming doom. And it is this future which obsesses me entirely to the exclusion of all trivial details about a paltry reduction in the salary of the Ministers. And yet, since the matter is likely to be pushed to a vote, I owe it to myself to set forth the reasons in support of my conduct.

Sir, I am quite free to admit that the Treasury bench is both overcrowded and overpaid. We have far too many occupants of that bench, and they are paid on far too generous a scale. But this charge of overcrowding—it can be brought with far greater justice against the rigid, permanent, immovable part of the Government against the Members of the Executive Council and not so much against the department of the Ministers.

There has sprung up a fashion of late of multiplying and swelling up the work which our high officers are called upon to perform. We learn from the poet that—

There is a great text in Galatious—
Once you trip upon it entails,
Twenty-nine distinct damnations,
Each sues if the other fails.

This verse must have been present in the minds of the Retrenchment Committee, when counting up the functions of those obsolescent officers known as Commissioners of Divisions, they found that these totalled up to just six hundred and twenty-nine! And following up the same arithmetical process of enumeration we may count up the functions of the Executive Committee till they number six thousand six hundred and twenty-nine! But leaving poetry and arithmetic aside, what does common sense tell us? Sir, I do not wish to minimise the gravity or importance of the work which the members of the Executive Council are called upon to perform. But, after all, what is the nature of that work? Is it not largely of a machine-made, mechanical, routine type, the character of which has been settled and stereotyped by long generations of settled, constant and uniform practice? Land Revenue, Justice, Appointments, Finance—the words sound big: but is there any policy to be initiated in those departments, any pioneer work to be undertaken, any programme to be laid down and to be watched with sedulous care as it evolves itself in practice? Nay, routine, policy and programme—have they not been settled from long beforehand? And so far as the present-day members of the Council are concerned, have they not simply, contentedly, I might almost say, lazily to follow in the rut? No doubt, they are called upon to make decisions from hour to hour. But even this work of reaching decisions has been enormously facilitated by the labours of previous generations of administrators. When the late Mr. Bhupendra Nath Basu was Member in charge of Land Revenue for some time, he

used to say that, so far as the normal duties of his office were concerned, they did not even require his daily attendance at office—10 minutes per day at home were sufficient for the purpose. No doubt Sir Provash works twelve hours a day—all credit to him—but I give the testimony of a previous incumbent of the office for all that it may be worth.

And now contrast with this the nature of the work that falls upon our Ministers. I do not say they do it or are capable of doing it—the personal equation does not enter my mind at all for the time being—but just consider the nature of the work they have got to do. Industry, Agriculture, Education, Sanitation, Public Health—all this is virgin soil, where not a sod has yet been out, where there is enormous work still to be done and waiting only for the man and the moment to do it. To make Bengal educated and literate, to make Bengal prosperous and thriving, to make Bengal a sweet, clear and wholesome place to live in—here, Sir, is a man's work to be done, calling for the Atlantaran shoulders of a giant minister of the future! And I tremble to think whether the man will be forthcoming when the hour demands him!

Sir, in these departments which the Ministers are called upon to administer, there is as yet no settled formula or plan of work. Policies have to be initiated, programmes have to be laid down, even the very routine of work has to be evolved: and if it requires 4 Members to do the work of the Executive Council, the number of Ministers ought to be more and not less.

There is another aspect to this question of overcrowding. The Executive Council is rigid, immovable and permanent—beyond the reach of our praise or blame. The Ministers, on the other hand, are our men, our representatives, in a sense our servants. They are ours to make or mar, ours to praise or blame, ours to censure and pass judgment upon. We placed them on that pedestal, and we can pull them down from there. Also, in the seats of the mighty, in the high places of the Government, they are intended to be our spokesmen, our champions and our bulwark. Whether they can play their parts successfully or not, I do not know—for the time, I do not care. But this is what they are intended and expected to do: and in these circumstances, would it be prudent, politic or fair to reduce their number and cripple the collective volume of their strength?

Passing on to the question of payment, I am free to admit that I stand upon far weaker ground here. I have said already, and I shall say again, that our Ministers and Members of the Executive Council are all overpaid. But the evil is universal: it does not stop with the Ministers alone: our munsifs, magistrates, judges, even judges of the High Court—they are all overpaid. And the cause of this over-payment is not far to seek. The salaries of our public officials have been fixed with reference to European standards. The European Members of the

Services demand high salaries for themselves; and to keep themselves in countenance—not to allow the disparity to be too marked and prominent—they have to fix the salaries of the Provincial Services at a correspondingly high level. The result is universal waste. Sir, Mahatma Gandhi said sometime ago that no man in India deserved a salary of more than Rs. 500 per month. And widely as I differ from Mahatma Gandhi in some of his recent political developments, I am almost inclined to be one with him here. Sir, we Indians are a frugal and simple-living people: European standards of comfort and luxury do not appeal to us: our history, our culture, our traditions are all against the same: and we can manage to be content with salaries far less ample than are now granted to our public servants. And so, in theory, there is no justification for the present pay of the Ministers. But here too I am confronted with the same difficulty as before. We cannot touch a stiver of the salary paid to Members of the Executive Council; we can touch the pay of the Ministers' only; and the question is—the sum of Rs. 50,000 or Rs. 80,000 or Rs. 1,00,000 which we shall be able to save on this score —will it be sufficient to re-habilitate the economic structure of Bengal? For, bear in mind that this is only for a year. The constitution is now in the melting: a bare twelve months or more—14 months more, and you can remould the whole thing to your heart's desire. You can fix your Ministers' salaries at a hundred rupees or Rs. 500 or Rs. 1,000, just as you like. Meanwhile, if we make this reduction now, will it not be construed as a vote of censure upon the collective body of the Ministers! You may say that it is not intended to be a vote of censure, but what will be the probable, the inevitable effect upon the public mind? And speaking for myself, I must frankly say that I am not prepared, just at this moment, to pass such a vote of censure upon the collective body of the Ministers: They have done nothing to deserve it at our hands. I shall not enter now into the question of their personal merits or demerits. We all have a reasonably high opinion of ourselves, and we are all acutely conscious—not of our own defects, but of one another's defects. And so, it has often happened that, when the Nawab Bahadur or the Hon'ble Mr. Bijoy Prasad has been speaking, I have said to myself "I could have put that point better, or could have straightened that knot more dexterously, just as the case might be." But this, after all, Sir, is only one individual vanity: and I am free to admit, once again, that as a team the Ministers have done their work well and have not deserved any censure at our hands. And so, if this motion is put to the vote, I shall have to record my opinion against it.

Mr. SHANTI SHEKHARESWAR RAY: May I point out, Sir, that my motion No. 265 proposes more or less an economic cut.

Mr. PRESIDENT: No, that is a token cut and you cannot move it now.

Mr. J. N. GUPTA: We have just heard the very eloquent address of Mr. Bannerjee and he certainly made out a very strong case why if we cannot reduce the number of Executive Councillors we should not try to reduce the number of Ministers. The reasons why we cannot and should not reduce the number of Ministers should be well known and are appreciated by all of us. It will certainly be a very great mistake if we should try to reduce the number of Ministers. In fact when the new Government comes in I think the question will be seriously considered whether the number of Ministers should not be increased and given a smaller scale of salary. But we are discussing the question of the pay of the Ministers. Mr. Bannerjee has not advanced any substantial reasons why this should not be done. He repeated the old argument that inasmuch as the Members of the Executive Council are drawing a higher pay if we reduce the pay of the Ministers it will be undermining their position in the eyes of the public. This argument Mr. Syamaprosad Mookerjee has already met very effectively. He has pointed out that in a sister Presidency the pay of the Ministers has been decreased or rather the Ministers have voluntarily accepted a lower pay, and their action has been followed not by any decrease in the estimation of the public but on the other hand by a very marked increase in their popularity not only in the eyes of the public but also of Government. I would request Mr. Bannerjee to tell me of a single responsible paper in India which expressed the least dissatisfaction with the action of the Bombay Ministers. I am quite sure he will not be able to do so. On the contrary every responsible paper acclaimed the action of the Ministers. I am quite sure that the hackneyed argument of Mr. Bannerjee is entirely fallacious. As far as the constituencies are concerned who are supposed to have sent up the Ministers to their places on the Treasury Bench, most of them will hail such action on the part of the Ministers as a laudable example of public spirit and self-sacrifice. Sir, Mr. Mookerjee has gone into details and shown how the Ministers as well as Members of the Executive Council—a point on which Mr. Bannerjee entirely agrees with me—are drawing a scale of pay which is far higher than the pay of public servants of any other civilised country. In Bengal, which is after all one of the poorest provinces in India, can we afford to continue to pay on this excessive scale of salary? It has been argued that after a year we will get our own Ministers under the new constitution. Why not wait till then? On that point the answer given by Mr. Basu is conclusive. If we are satisfied that Bengal cannot afford to pay the Ministers or the Members of the Executive Council, over whom we have unfortunately no statutory power, such fat salaries, if we are convinced of that, what earthly

reason is there for us to wait one single day? It is a question of principle which ought to appeal to Mr. Bannerjee and to all Hon'ble Members of this House. In the flood of his eloquence, Mr. Bannerjee quite forgot this important issue. If we feel that Bengal has one hundred and one pressing needs, of which he has himself given such an eloquent picture, in the field of agriculture, in the field of public health and in all other spheres which should go to make Bengal a prosperous province, should we not conserve every pice of our resources and spend the money in those departments and directions in which they are so urgently needed? I ask Mr. Bannerjee to ponder on that point. I want, however, to make it clear that in voting for this motion I do not want to cast any reflection on the personnel of the present Ministry. In my humble judgment each of them has done good work, having regard to the means at their disposal. It is not because Nawab Faroqui, or Mr. Singh Roy or Mr. Nazimuddin have failed in their duties that I support this motion, but the reason why I do support this motion is from a very strong sense of public duty. A supreme and urgent sense of duty makes me feel that Bengal cannot possibly afford to pay its servants the excessive, extravagant and to some extent unnecessarily high scales of pay which it is doing. If we really have the love of our province at heart, we cannot close our eyes to this undeniable fact because of these sophistries that we have got only one year more to go, and, therefore, we should not lower the prestige of the Ministers and give them a pay lower than what the Executive Councillors enjoy. They are mere sophistries. Sir, if we are really true to what we feel, I do not think there should be a moment's hesitation in voting for this motion.

Khan Bahadur Maulvi AZIZUL HAQUE: It would be extremely delicate for me to approach this question for the reason that very recently I had to sit as a member of the Retrenchment Committee. But if I am taking part in this debate, it is because I want to make my position as a member of this House clear. Sir, as a member of the Retrenchment Committee we have found that it is not merely the Ministry but the pay of every civil service of the province, the Indian Civil Service, the Provincial Civil Service, the Indian Educational Service, and every other service require to be lowered, and if the finances of Bengal are to be placed on a sound footing, we cannot afford to pay any more the high amount of salaries which we are paying now all round. Let me make this point perfectly clear that when we recommended that there should be an all round cut in the pay and salaries and a revision in the scale of salaries everywhere and other retrenchments we did not think that that would alone be a solution of the financial position of Bengal. Even if all our recommendations were given effect to in full, Bengal's financial position would be such that it would require much more than the resources mentioned in the

White Paper, and as a member of this House I must say one word that these retrenchment measures are not the solution of Bengal's financial position. If really Bengal wants to place its financial position on a proper basis, if we want to take up work in the nation-building departments, then the Retrenchment Committee's measures will be merely helpful in getting some portion of the revenues we require. Having done that, Sir, I beg to say this much that our position was that so far as Bengal is concerned, from the Minister down to the lowest officer—at least those who are getting over Rs. 100 per month—their salaries should be cut. But what is the position to-day? I find that this Legislative Council only the other day passed a resolution in which they refused to cut the salaries of the Executive Councillors, and if I am not mistaken, I think in a motion recently passed, this House has, in effect, given a wide berth to the Treasury benches to do with the report of the Retrenchment Committee as it chooses. Having done that, I feel that it will not be consistent with this House if it only takes up one cut in salary and leaves others in the hands of Government. My position is that it is not merely the salaries of the Treasury benches but the salaries of every officer, which should be the subject matter of reduction.

Mr. P. BANERJI: You are moving in the seventh wonder.

Khan Bahadur Maulvi AZIZUL HAQUE: I am not prepared to move in the seventh wonder in which my friend perhaps is moving just now, but I feel that this is not the time when we should take only one measure and sit tight. I am quite willing to vote with the House that the Ministers' salary should be reduced if the House records its approval to the reduction of the salary of every other post in this province; but if that is not done, if it only amounts to passing a motion for the reduction of the salary of the Ministers, then I feel it will not be doing full justice to the Ministers. What Bengal needs is a reduction of salaries of all officers whether Ministers or subordinate officers, and the House must devise some means by which it shall be made possible to do so. I feel, Sir, that so far as the reduction of the number of the Cabinet is concerned, my definite view has been that the number of Ministers should not be less than the number of Executive Councillors, and that is a constitutional position that I take up on the eve of a change in which we shall have all Ministers. It would not be sound to reduce the number of Ministers below the number of Executive Councillors. That being so, my position is that so far as the Cabinet is concerned——

Mr. NARENDRA KUMAR BASU: How do you reconcile your recommendation for two Members of the Executive Council and three Ministers?

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I was going to say that it is simple arithmetic. I pleaded for three Ministers and two Executive Councillors. That is the position which I am definitely taking up even now, and that if there is to be a reduction, I am convinced that it would not be desirable that there should be no reduction of Ministers. As regards pay, we recommend, so long as the present constitution lasts, it should not be more than Rs. 4,000 in the case of new incumbents and in the future constitution not more than Rs. 3,500. But this reduction should not be made in the case of the Ministers alone, if nothing is to be done in other directions, if there is no means by which it will be possible to reduce salaries all round, I would stop and not reduce the Minister's salary alone. That is not the proper way of dealing with this matter. If you leave everything in the dark and take up this question of individual salaries alone, I think we would be confronted with certain consequences which might be interpreted in a different way. As my friend, Mr. J. L. Banerjee, with whom I have often had the misfortune to differ for years past, has pointed out, leading politicians discussed the matter and rightly or wrongly they came to the conclusion that the salaries of Ministers should not be less than that of the Executive Councillors. I always thought that this was an argument with which even if we could not agree, we must give due deference to. There is a solid bulk of public opinion in this country—not of superficial thinkers—but of thinkers of some moment, thinkers who have given lead to the present constitution and who are capable of giving advice on a most important question like this, that there should not be a reduction in the salaries of the Ministers in comparison with Executive Councillors.

As regards charities, whether they should give charities or not, I feel that is not a matter which I should dictate to them. We cannot force a charity on any Member or Minister. Whether they do it or not is a different matter. But so far as the present discussion is concerned, I would conclude by saying that if it is an isolated case, then I am opposed to any question of reduction of Ministers' salaries alone; but if it is a question of an all-round reduction in the salaries of officers in this province, I am entirely in favour of it because I feel that it is time for us to cry halt and do something for our province.

Mr. K. C. RAY CHOWDHURY: Sir, we have had so much debate on the question of Ministers' salaries for the last 12 years that I do not think that I shall throw any fresh light on the subject. But when Mr. Gupta, after enjoying an Indian Civil Service salary for the last 34 years and enjoying all the emoluments of high pay, high travelling allowance, and high everything else comes forward to question the principle of high salary, this is more than we can stand.

Sir, another new theory which has been advanced and very nicely put by Mr. Syamaprosad Mookerjee is the *per capita* theory. We have heard, Sir, on many occasions about the salary of the Prime Minister of Japan and other countries, but this is neither here nor there. The principle factor that weighs in this House is why should there be any differentiation between a Member of the Executive Council and a Minister? It has nothing to do with the prestige on the basis of high pay; it has nothing to do with the status; but we know, Sir, that greater men than those who adorn the benches of this House—men like Bal Gangadhar Tilak have openly declared before the Joint Committee and elsewhere that there should be no differentiation between the salary of a Minister and of a Member of the Executive Council. Our friend Mr. Gupta referred to criticism in newspapers. These Extremist papers have been criticizing the high salaries. Sir, we did not care about the newspapers. They were out to kill dyarchy on the pretext of attacking the Minister's salary. I would request my friends not to advance any old arguments. Let them read the proceedings of the Council for the last 12 years—they would know that no new arguments have been put forward in this connection to-day.

Babu SATISH CHANDRA RAY CHOWDHURY: I think with the Retrenchment Committee's report before us, it is our supreme duty at this moment to try to press on the Government the reasonableness of accepting the Retrenchment Committee's report and giving effect to it. That seems to be the serious business in which we are engaged. It seems to me that the discussion of the question of Ministers' salaries at this time is a bit of side-tracking of the main business which ought to engage our sole attention now—the business of bringing about a real and substantial retrenchment of wasteful expenditure. We mean really to discuss the Retrenchment Committee's report and try to have the report given effect to. It will be a poor consolation to us if we return home with the idea that we have succeeded in reducing the Ministers' salaries by a few thousand rupees while we have failed altogether to effect any retrenchment on the reserved side or even to have a "t" cut or an "i" dotted so far as the budget on the reserved side is concerned. This annual discussion has been going on for a long time past and it cannot, therefore, be said that we are so placed in this year of economic distress that nothing will help the Government so much as a cut in the salaries of the Ministers. As a matter of fact I admit there is a general feeling that the Ministers should not be granted such high salaries. The finances of the country does not permit the granting of such salaries and our sentiments are also to the contrary. But in spite of all this I do not see any reason why we should devote so much time to this question, which has been discussed on the floor of the House year after year without success. There are more important matters, more important items in the Report of the Retrenchment Committee, about

which we are all agreed, and which are likely to cause much greater savings such as abolition of certain high posts like the posts of Divisional Commissioners and there are other items which we can more profitably discuss. It is up to us, therefore, to address ourselves to them and see if we can carry the Government with us. If we find that Government will not budge an inch from the position they have so far taken up it will not serve our purpose or the real interest of the country to have only a few thousands cut from the Ministers' salaries. It appears to me also that we should have some respect for the recommendations of the Retrenchment Committee, which was a committee really appointed at the request of this House and which had two prominent members of this House on it. They make it clear that they are unwilling to make a distinction between the Members of the Executive Council and the Ministers in the matter of pay. What they say is that Rs. 4,000 should be the salary all round for Members as well as Ministers, in future and if there is any change in future in the Cabinet of the Government of Bengal, i.e., if any new entrants are taken in it, either as Members of Council or as Ministers, they should draw Rs. 4,000 a month instead of the present pay. That shows that the committee was unwilling to make any distinction between one half of the Government and the other; on the other hand I do not think that salary alone makes for prestige for salaries drawn by responsible Ministers in other countries are much less than they are here and on that account they do not suffer from want of prestige. Therefore, when we get our own government it will be up to us to see that our Ministers do get a salary which is not out of proportion to our means. But at present the position is that we have got two parts of the Government. It is therefore that the analogy of other countries does not hold good here, at present. By a cut in the pay of the Ministers we shall be creating distinction not favoured by the recommendations of the Retrenchment Committee and by some of our eminent political leaders as has been mentioned by my friend Mr. J. L. Bannerjee and others. However that be, Sir, with the short time before us before the new constitution is ushered in, I think we ought not to make so much capital of the Ministers' salaries, especially it having been admitted on all hands that there is no complaint to be made against the present Ministers who have all done their duties well, considering the difficult times. That being the general opinion, I think it would be the unkindest cut of all if having failed to effect economies in other directions we practically give evidence of no confidence in the Ministers by reducing their salary. So I oppose the motion.

Rai Bahadur JOGESH CHANDRA SEN: Sir, I want the Ministers to retire at once so that some of us who have time and ample leisure and also experience at our credit may try this *Dillikaladdo*. Sir, last

year this House had not had the opportunity to settle accounts with the Hon'ble Ministers. It has almost become a convention to scrutinise the work and activities of Ministers at this time of the year. I take it, Sir, that it has nothing to do with the personnel but our real target is the Constitution which is in operation for the last 10 years or so. Has not the Council expressed its strongest disapproval of the Constitution by overthrowing the Ministry on two or three occasions when, Sir, the outspoken and fearless Swarajists were in power. If you cannot effect cuts in other departments what is the good of attacking the Ministers alone and save Rs. 30,000 only—a petty sum with which you cannot do any real good. Now that we are on the eve of a great change we think we may do away with the conventional attack. But, Sir, if even at this stage it is proved that the Hon'ble Ministers have deliberately and wilfully gone against the interest of the country; then, Sir, they cannot escape. We must then have our three pounds of flesh and an ounce more in the case of the Hon'ble Education Minister, but I am afraid we cannot have a drop of blood as there is none in them just now. They have, I am confidentialy informed, already packed their luggage and tied their baggage waiting for kind orders. Sir, this is the life of a Minister of a province. As creature or creation of the Constitution they are, I find, helpless, then why should you attack them. A bankrupt Government whose income goes mainly for Police administration and high establishment cost and maintenance of dredgers cannot do better. If Messrs. Woodhead and Blandy shake their heads once then His Excellency even cannot improve the situation, what to speak of the Ministers. For all these Constitution alone is to be blamed, and we have done that on every opportune moment and we should now conserve all our energies for the Reformed Constitution. The White Paper will give us enough food for deliberation and I would invite all to throw constructive suggestions and not to waste their valuable time or energy over the present form of Ministry which would be, a year hence, a thing of the past and become a chapter in our history. In criticising their action we may have to attack the personnel and pass uncharitable remarks but would it be dignified, would it be fair to part with them like that when we know full well that they are not personnally responsible for these shortcomings? In their sphere which is certainly very limited some of the Hon'ble Ministers have rendered a pretty good account of themselves. With little insight into the budget I can say that there is a great possibility before us and if we are given proper powers and facilities with proper men at the helm to work them out then the day will not be distant when we would find instead of a শ্মশান (burning ghat) a happy hearth and home with smiling millions all around. And our vision of a real সোনার বাংলা (Golden Bengal) will be realized. Take out a leaf from the history of Japan in the Miji era and let the new Government follow the same policy and act like parents of the vast population and not like সতিন বাবা (step-father).

We must have a place of honour in the League of Nations. I hope, Sir, I will not be misunderstood. I want a good understanding—a good will to reign in this House and every one—Hindus, Muhammadans, Christians—to work hand in hand with one and only one object, that is the uplift and amelioration of our motherland.

With these words I oppose all attempts to throw out the Ministry.

Maulvi ABUL QUASEM: I rise to support the motion which has been moved by Mr. Syamaprosad Mookerjee. Before I speak on his motion I would offer a word of apology to my esteemed friend Mr. J. L. Bannerjee. I have been listening to his speeches since I was a college student and many a time and oft have I been carried off my feet by the rush of his torrential eloquence. I deem it a great privilege that as a member of this Council I am treated to such eloquence day after day here, but I must confess that after being a member of this Council and listening to some of his speeches I have developed the penchant of sometimes interrupting him and making remarks, which will, I know, annoy him, only to bring out fresh sallies of his eloquence. I hope my friend will forgive me if I cannot resist this penchant of mine. I support the motion of Mr. Syamaprosad Mookerjee whole-heartedly for this reason that I firmly believe that in this country public service is paid and rewarded in a way that has no parallel elsewhere in the civilized world, as has been eloquently and ably pointed out by Mr. Syamaprosad Mookerjee. It has been said that the lesser the salary you pay to your Ministers who are your own representatives the lower you reduce their prestige in the public estimation. I totally dissociate myself from any such idea. Public service should itself be its own reward. To have the privilege of participating in and presiding over high national transactions should be honour enough to be coveted by any citizen of the country. Our Ministers are given this privilege; they have not come here to seek a career like—I say this without any disrespect to them—the Members of the Indian Civil Service; our Ministers are here as our representatives to render public service to their country. If public service is not a reward enough for them then let them write themselves down as unfit to be our representatives in the councils of Government. Mr. Syamaprosad Mookerjee has proposed that Rs. 4,000 a month should be the salary which each Minister should be content with. Our High Court Judges are paid that sum. No one will suggest for a moment that——

(Here the Council was adjourned for 15 minutes for prayer.)

(After adjournment.)

Maulvi ABUL QUASEM: As I was saying, Sir, our High Court Judges are paid Rs. 4,000 a month each. No one will venture to

say or suggest that our Ministers do really deserve a higher salary than that. It has been said that their prestige will be lowered; on the contrary I am firmly of opinion that in these days of unheard-of economic depression, when the income of all classes of people has been reduced incredibly low, they should agree to receiving a lower salary than they actually receive. If they do that, they would be setting an example which will raise them immeasurably in the estimation of their countrymen and the moral effect which it is bound to produce will be immense. It has been said that the money that might be saved by cutting down the Ministers' salary to Rs. 4,000 would not benefit anybody. That cannot be true. Let me give one example. The country is suffering incredibly. I come from a rural area and I know that charitable dispensaries and kala-azar centres in the rural areas cannot cope with the demands on their slender resources, having regard to the depleted income of the district boards at the present time. If this money that would be saved by reducing the Ministers' salary to Rs. 4,000, as has been proposed by Mr. Mookerjee, could be distributed among the district boards in order that they might augment the resources of the charitable dispensaries and kala-azar centres, that would mean an appreciable relief to the rural people.

With these words I wholeheartedly associate myself with the appeal made by Mr. Syamaprosad Mookerjee to the Ministers that they will have the grace to accept a voluntary reduction of their salaries.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, I sympathised very much with Mr. K. C. Ray Chowdhury when he said that all that had been said this afternoon had been urged before and that it was practically impossible to say anything new. I am exactly in the same position, as I have nothing new to say. I have only to recapitulate once again the position as regards the Ministers—their number and salary. I do not propose to spend much time over the number, because the discussion has been mainly with regard to the salary. As regards number it is a matter entirely for His Excellency. Under section 52 of the Act His Excellency appoints Ministers and he has appointed three and so there are three.

Turning to the question of salary, Mr. Jitendralal Bannerjee, from his experience, has given you the full account of all the discussions that took place before the present constitution came into existence so far as they concerned the Indian National Congress and the expression of non-official opinion. I shall go further and shall remind you that the Joint Select Committee that reported on the Government of India Bill——

Mr. SYAMAPROSAD MOOKERJEE: Do you endorse the recommendation of the Indian National Congress?

The Hon'ble Mr. W. D. R. PRENTICE: I did not say that I accepted the recommendation of the Congress. I suggested that Mr. Bannerjee gave a history of the case from that point of view. The Joint Select Committee recommended that the status of the Ministers should be similar to that of the Members of the Executive Council, and when the new constitution came into being, His Excellency appointed the first set of Ministers on the same salary as that drawn by the Members of the Executive Council. That was in the beginning of 1921 and on the 10th and 11th February, 1921, the question was debated at length as to what the salary of the Ministers should be and proposals were made for the following salaries: Rs. 1,000 a month, £1,500 a year, Rs. 2,500 a month, Rs. 3,000, and Rs. 3,500 a month. All these proposals were defeated and the Council then decided that the Ministers should have the same salary as Members of the Executive Council, and that has been the case ever since. It is argued that because of the financial situation of Bengal, that decision should be altered and we have had certain proposals made to-day. But it will be noted, as has been referred to by some of the speakers, that the Retrenchment Committee in its report did not recommend any alteration of salary for the existing Ministers. They made a recommendation as regards the Members and Ministers who might succeed those at present in office, and might be in office until the new Reforms come into being. So this recommendation for the reduction of the salary of the present Ministers does not even have the support of the Retrenchment Committee. What we have heard during the debate to-day is the old story about the salaries paid to Ministers in other countries. But I think that in view of the position taken up in this Council all these years that there should be no difference in status between the Ministers and the Members and in view of the fact that difference in salary is usually taken to indicate a difference in status, it is irrelevant at present to discuss what Ministers get in other countries. For I do not think there can be any doubt that it is true that in this country status is very largely dependent on the pay drawn by the persons concerned. The higher the pay the greater is the status, that is a general truth in this country. It would reduce the status of the Ministers and it would be departing from the long continued and oft-repeated decision of this Council, if we made any change now.

Sir, we have had references to Bombay, but, as I said the other day, I do not know what conditions in Bombay are and I do not know what the position as regards the Ministers there is. One member said that they had made a voluntary surrender. Well in 1921 a voluntary surrender was announced by the then Ministers. But that

is a matter entirely for the individuals concerned, and I think it would be an impertinence to suggest to the present Ministers that they should make a voluntary reduction, so that the amount may be spent in charity. I suggest, Sir, that the right course for the Council is to maintain the salary that is being paid to the Ministers now until the new constitution comes into being.

The motions of Mr. P. Banerji, Mr. Narendra Kumar Basu (two motions) and Babu Kishori Mohan Chaudhuri were then put and lost.

The motion of Mr. Syamaprosad Mookerjee was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Ali, Maulvi Syed Nasher.
Banerji, Mr. P.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kishori Mohan.
Chaudhury, Maulvi Nurul Abser.
Fazlullah, Maulvi Muhammad.
Gupta, Mr. J. N.
Haque, Kazi Emdadul.
Karim, Maulvi Abdul.
Khan, Maulvi Tamizuddin.
Maiti, Mr. B.
Momin, Khan Bahadur Muhammad Abdul.
Mookerjee, Mr. Syamaprasad.
Quasem, Maulvi Abul.
Ray, Mr. Shanti Shekhareswar.
Root, Babu Hemant.
Roy, Babu Jitendra Nath.
Sen Gupta, Dr. Suresh Chandra.

NOES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.
Armstrong, Mr. W. L.
Bakshi, Maulvi Syed Majid.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Sarat Chandra.
Banerji, Rai Bahadur Kshab Chandra.
Bannerjee, Babu Jitendralal.
Barma, Rai Sahib Panchanan.
Bazir Uddin, Khan Sahib Maulvi Mohammed.
Basu, Babu Jatindra Nath.
Bhandy, Mr. E. R.
Bose, Mr. S. M.
Burn, Mr. H. N.
Chaudhuri, Dr. Jogendra Chandra.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Choudhury, Haji Badi Ahmed.
Choudhury, Maulvi Abdul Ghani.
Cohen, Mr. B. J.
Cooper, Mr. S. S.
Dain, Mr. G.
Das, Rai Bahadur Kamini Kumar.
Das, Rai Bahadur Satyendra Kumar.
Eskandji, Maulvi Nur Rahman Khan.
Fazlul, the Hon'ble Maulvi A. K. M., Khan Bahadur.
Fisher, Mr. L. R.
Ghosh, the Hon'ble Akhil Chandra Datta.
Ghosh, Rai Bahadur Saroja Kumar.
Hussain, the Hon'ble Alhaj Sir Abdelkarim, Kt.
Jalaluddin, Mr. H. M.
Jamadar, Rai Bahadur Bajrdhan.
Jhunjhunwala, Babu Prabhu Dayal.
Khan, Maulvi Afzal.
Haque, Khan Bahadur Maulvi Azizul.
Henderson, Mr. A. G. R.
Hogg, Mr. G. P.
Hooper, Mr. H. G.
Hussain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Khan, Khan Bahadur Maulvi Muazzam Ali.
Khan, Mr. Razaur Rahman.
Law, Mr. Surendra Nath.
Maguire, Mr. L. T.
Mitter, the Hon'ble Sir Provash Chunder.
Mitra, Babu Sarat Chandra.
Mukherji, Rai Bahadur Satish Chandra.
Mallick, Mr. Mukunda Behary.
Nag, Babu Sah Lal.
Nag, Reverend S. A.
Nandy, Maharaja Srie Chandra, of Kasimbazar.
Nazimuddin, the Hon'ble Mr. Khwaja.
Norton, Mr. H. R.
Peake, Mr. S. F.
Philpot, Mr. H. G. V.
Poddar, Mr. Ananda Mohan.
Poddar, Babu Hanuman Prasad.
Prentice, the Hon'ble Mr. W. D. R.
Procter, Lt.-Col.
Rahman, Mr. A.
Rahman, Maulvi Azizur.
Rahman, Mr. A. F. M. Abdur.
Ray, Babu Kishiba Nagan.
Ray, Babu Nagendra Narayan.
Ray Chaudhury, Babu Satish Chandra.
Ray Chaudhury, Mr. K. C.
Reid, Mr. E. H.
Roy, Babu Bankim.
Roy, Mr. Bibhuti Bhusan.
Roy, Mr. Sarat Kumar.

Ray, the Hon'ble Bijoy Prasad Singh.
Sandelsiah, Maulvi Muhammad.
Sikdar, Babu Satya Kinkar.
Sarkar, Rai Sahib Rabati Mohan.
Sen, Mr. S. R.
Sen, Rai Bahadur Jogesh Chandra.
Sen, Rai Sahib Akshoy Kumar.
Shah, Maulvi Abdul Hamid.

Stapleton, Major E.
Stokes, Mr. J. W. R.
Subramaniya, Mr. H. S.
Sumner, Mr. C. R.
Townend, Mr. H. P. V.
Wilkinson, Mr. H. R.
Woodhead, the Hon'ble Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 19 and the Noes 84, the motion was lost.

Mr. PRESIDENT: Mr. Bannerjee told me that he was not well. So I postpone the consideration of item No. 264. I will take it up to-morrow.

Mr. SHANTI SHEKHARESWAR RAY: I beg to move that the demand of Rs. 1,81,600 under the head "22E—Ministers—Pay of officers" be reduced by Rs. 100 (to suggest that each Minister should submit to a deduction of Rs. 1,000 a month, the amount to be placed at the disposal of His Excellency the Governor for charitable purposes).

Sir, I have moved my motion in this form as a sop to the feeling of the Hon'ble Ministers and their friends. I wish like my friend Mr. Jitendralal Bannerjee I could with his eloquence try to raise the stock of the Ministers by a few points this evening. He has been very eloquent on the point that we should not ask for a reduction on the ground that the status of the Members of the Executive Council and that of the Ministers are more or less identical. I believe, and it has come to me as a surprise, that this view is shared to a certain extent by the Hon'ble the Home Member. In the light of the bold facts the situation is quite different. If the Hon'ble Mr. Prentice would read the Government of India Act, he will find that the status of the Hon'ble Members of the Executive Council and that of the Ministers are quite different. Admittedly the Ministers belong to a lower grade of Government officials. The Hon'ble Members of the Executive Council are appointed by His Majesty, whereas the Ministers are appointed by His Excellency the Governor. The Ministers can be removed at the pleasure of His Excellency, but the Hon'ble Members of the Executive Council cannot be so removed. Then as regards the powers of consultation and decision you will find that if there is a difference of opinion between His Excellency the Governor and the Members of the Executive Council, the decision of the majority of the Members of the Executive Council prevails and this decision they have to record in writing. But what happens in the case of the Ministers? Nothing of the sort. His Excellency can overrule the Ministers at every point. There can be no question of equality of status. The status has been [illegible] constitutionally in the Government of India Act. So by [illegible] an equality of pay you do not ensure for them an equality of [illegible]

In that point also I may say that if His Excellency so desires he may not fix the same pay. The word used in the Government of India Act is not "shall" but "may". He may appoint the Ministers on the same salary that is sanctioned for the Members of the Executive Council; he may or may not. But in this case His Excellency has been pleased to fix the pay of the Ministers on the same basis as that of the Members of the Executive Council. Naturally in some quarters there is an inclination to have two different scales of pay. I think those who have scruples to support a reduction in pay of Ministers on that ground may perhaps find it possible to support my proposition, because I suggest that each Minister should submit to a deduction of Rs. 1,000 a month and leave it at the disposal of His Excellency the Governor for spending on charitable purposes. Here is no question of reduction of pay. The Hon'ble Ministers will draw their pay as usual, they will draw the same pay as the Members of the Executive Council and if they want to flatter themselves with the belief that they enjoy the same status as the Members of the Executive Council they may do so, but at the same time in response to the wishes of the public, at least a large section of the public, they may put a part of their salary assigned for charitable purposes. Of course from the report of the Retrenchment Committee we find that they do some sort of charity, but we do not know anything about that. What I suggest is that instead of performing or indulging in non-official charity they may do a bit of official charity, they may hand over the amount to His Excellency the Governor who may devote it to any particular charity he likes. His Excellency devotes a part of the public funds sanctioned under the discretionary grant to public purposes. Owing to the shortness of funds lately that discretionary grant has had to be reduced, and I think if the Hon'ble Ministers will agree with me——

[It being 7 p.m. of the clock]

Mr. PRESIDENT: Order, order, I must now adjourn the Council.

Adjournment.

The Council was then adjourned till 3 p.m., on Tuesday, the 21st March, 1933, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Tuesday, the 21st March, 1933, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 103 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Annual report of the European Association, Calcutta.

*69. **Babu SUK LAL NAG:** (*a*) Has the attention of the Hon'ble Member in charge of the Political (Jails) Department been drawn to the annual report of the European Association, Calcutta?

(*b*) Will the Hon'ble Member be pleased to lay on the table the correspondence which the Association had with regard to the conduct of the civil disobedience prisoners at the Dum Dum Special Jails, as also the report, if any, of the Superintendents of the Jails?

(*c*) Did the Government make any enquiry into the allegations?

(*d*) Were any prisoners found guilty?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) whether any punishment was awarded them; or

(*ii*) whether any remission of sentence earned by them was withheld or withdrawn?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) A copy of the report has been received.

(*b*) Government are not prepared to publish this correspondence or any report received from their own officers.

(*c*) An enquiry was made into the state of discipline in the jail.

(*d*) It was found that discipline was unsatisfactory.

(e) (i) Prisoners who broke the rules have been punished as the occasion demanded.

(ii) This form of punishment is classed with "Other punishments." The information asked for is therefore not available.

Grant to the Sanskrit Association.

*70. **Babu JITENDRALAL BANNERJEE:** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether any fixed sum of money used formerly to be granted to the Sanskrit Association?

(b) If the answer to (a) is in the affirmative, what was the amount?

(c) What was the actual amount granted in 1931-32 and 1932-33?

(d) Is the Hon'ble Minister aware—

(i) that the money granted in these years was insufficient for the purpose of the Association; and

(ii) that consequently it has not been possible to hold any meeting of the Association since March, 1931?

(e) Who is the present President of the Association?

(f) Has he made any representation on the subject of the grant to the Association?

(g) If the answer to (f) is in the affirmative, what action has been taken upon such representation?

(h) Do the Government propose making a sufficient grant for the Association in the budget for the coming session?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (a) Yes.

(b) Rupees 16,500 normally.

(c) 1931-32—Rs. 16,500.
1932-33—Rs. 15,500.

(d) (i) No.

(ii) Two meetings were held in 1931-32; no meeting has been held in 1932-33, but this was not due to insufficiency of funds.

(e) The Hon'ble Mr. Justice Manmathanath Mukherjee.

(f) Yes, on the subject of the grants to the proposed Bengal Sanskrit Association the constitution of which was announced in the *Calcutta Gazette* of March 9th, 1933.

(g) and (h) Provision has been made for an additional grant of Rs. 2,000 in the budget for 1933-34.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Minister be pleased to inform me why no meetings were held in 1932?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Because a new Association was being formed and the old Association was a sort of defunct body.

Babu JITENDRALAL BANNERJEE: Was not the Association regularly formed before?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: A new Association has just been announced in the *Calcutta Gazette*. It is the All-Bengal Sanskrit Association. Formerly it was the Calcutta Association.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Minister be pleased to state how the work of the Association was being conducted in the absence of this new Association?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The Secretary supervised the examination.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Minister be pleased to state whether the Secretary had the authority to conduct such examinations under the rules?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The examinations were held according to the rules.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state whether it is a fact that even under the old Association meetings were not regularly held?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I do not think so.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state why the amount was reduced in 1932-33?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: It was very likely due to the 10 per cent. cut, or it may be that some reduction in the examination expenditure was made. I have not been able to ascertain the exact details of this expenditure.

Rai Bahadur KESHAB CHANDRA BANERJI: With reference to answer (*d*) (*ii*), what was this due to?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I have already answered this question.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Minister be pleased to state whether it is a fact that examiners have to be appointed at a meeting of the Association?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Yes, they were appointed at a meeting.

Mr. SHANTI SHEKHARESWAR RAY: Is it not a fact that examiners have to be appointed at a meeting of the Association? My suggestion is that the Secretary exceeded his power in appointing examiners.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice of that question so far as the actual fact is concerned.

Mr. SYAMAPROSAD MOOKERJEE: When was Mr. Justice Manmathanath Mookerjee appointed to be President of the Association?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Mr. SYAMAPROSAD MOOKERJEE: Is it a fact that Mr. Manmathanath Mookerjee has written to the Government bitterly complaining against the way in which Government has treated this Association?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: There has been a letter asking that funds should be provided immediately to enable the Association to meet. But there were two reasons that prevented a meeting of the Association. The first was the scarcity of funds and the second that it was not possible to get all the elections through in 1932-33 which would have enabled the Association to be properly constituted. As a matter of fact, even on the 9th of March we had to effect a sort of compromise and formed the Association without having elections all over Bengal as was required, according to the recommendation of that Committee.

Convict Chittaranjan Biswas.

*71. **Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state—

(*i*) whether Chittaranjan Biswas, convicted on 28th June, 1932, under section 120B, Indian Penal Code, in the Rajshahi mail robbery case and sentenced to rigorous imprisonment for 4 years, has been placed in division III and is now in Central Jail at Alipore;

(*ii*) whether the said Chittaranjan was a third year student in Rajshahi College and whether he passed the I.A. examination of the Dacca University in 1931, standing third in order of merit, with special proficiency in Sanskrit and History, and whether he secured a scholarship of Rs. 10 in the Matric. examination;

(*iii*) whether his father, Babu Surendra Mohan Biswas, is Manager of Kalipur zamindari in Mymensingh and occupies a high social position;

(*iv*) whether the annual income of the said Babu Surendra Mohan Biswas from landed property alone is about Rs. 5,000;

(*v*) whether both Chittaranjan Biswas and his father, Babu Surendra Mohan Biswas, applied to the Government for placing the said Chittaranjan in division II, detailing the circumstances mentioned in (*ii*) to (*iv*) above; and

(*vi*) whether the Superintendent of Police, Mymensingh, also recommended a higher division?

(*b*) If the answers to either or both (*v*) and (*vi*) are in the affirmative, will the Hon'ble Member be pleased to state why the said Chittaranjan Biswas has not been placed in a higher division?

(*c*) Will the Hon'ble Member be pleased to state—

(*i*) the qualifications which entitle a prisoner to a higher division; and

(*ii*) the reason for this differential treatment in the case of Chittaranjan Biswas?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) (*i*) Yes.

(*ii*) Government have no information except that he was a 3rd year B.A. student.

(*iii*), (*iv*), (*v*), (*vi*) of (*a*) and (*b*) Government decision rejecting the applications is based on enquiries made on the subject. Government are not prepared to publish the details or particulars of such inquiries.

(*c*) (*i*) The member is referred to the provisions in Jail Code rule 625A.

(*ii*) Does not arise.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state why a part of my question, viz., that another boy punished under the same section 120B was given Class II, has not been answered?

My question was as to why there was this differential treatment in the case of Chittaranjan Biswas.

The Hon'ble Sir PROVASH CHUNDER MITTE has been fully answered. The answer is that under the provisions of the Jail Code and as a result of the material gathered from inquiry this boy was placed in Division C.

Babu SATISH CHANDRA RAY CHOWDHURY: May I know why the name of the other boy who was given Class II has been left out?

Mr. PRESIDENT: Sir Provash, do you think your answer covers both the cases?

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes Sir.

Babu SATISH CHANDRA RAY CHOWDHURY: Have the Government made inquiries with regard to the facts stated in my question?

The Hon'ble Sir PROVASH CHUNDER MITTER: Very possibly Government might not have made any particular inquiry, because it is not relevant under the provisions of the Jail Code, but relevant inquiry was made.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Loan offices of Bengal.

63. Maharaja SRIS CHANDRA NANDY, of Kasimbazar: (*a*) Will the Hon'ble Member in charge of the Commerce Department be pleased to state—

(*i*) whether the attention of the Government has been drawn to the fact that the loan offices of Bengal are leading a precarious existence and a majority of them are on the verge of wholesale collapse;

(*ii*) whether the Government realise—

(*1*) that this is causing an extensive hardship to the middle class and the rural population of Bengal and that any general failure of these loan offices will seriously aggravate the present economic crisis in the mufassal, and

(*2*) that generally speaking the causes of this state of affairs lie beyond the control of the loan offices?

(b) If the answers to (a) (ii) are in the affirmative, what remedial measures do the Government propose taking to meet the present crisis?

(c) Are the Government considering the desirability of establishing a "Financing Corporation" as suggested by the Central Enquiry Committee?

(d) Do the Government propose undertaking banking legislation on the lines recommended by the Provincial and the Central Banking Enquiry Committee?

(e) If the answer to (b), (c) or (d) is in the negative, will the Hon'ble Member be pleased to state the reason why?

MEMBER in charge of COMMERCE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (a) The attention of the local Government has not been specifically drawn to the fact that the loan offices of Bengal are in the state indicated in this question, but there can be little doubt that they, like other commercial concerns, have been hit by the depression.

(b), (c), (d) and (e) The local Government are unable to reply to these questions as they relate to "Banking" which according to the Devolution Rules is a Central Subject.

Khan Bahadur Maulvi AZIZUL HAQUE: Is the Hon'ble Member aware that most of the loan offices are more or less money-lending concerns pure and simple, and not banking concerns?

The Hon'ble Mr. J. A. WOODHEAD: I am not clear as to the distinction between a money-lending and a banking concern.

Road cess at Pabna.

64. Babu SUK LAL NAG: (a) Is the Hon'ble Member in charge of the Revenue Department aware that a deputation waited upon the Hon'ble Mr. Sachse, Member of the Board of Revenue, at Pabna, and detailed their grievances against the excessive imposition of road cess and the manner of collecting the same?

(b) Will the Hon'ble Member be pleased to state the details of what happened at that time?

(c) Did the Hon'ble Mr. Sachse suggest or give some sort of assurance of temporary small remissions to the landlords?

(d) Does the Hon'ble Member realise that owing to widespread economic depressions, the realisation of road cess by landlords has become difficult and almost an impossibility?

(*e*) If the answer to (*d*) is in the affirmative, what relief, if any, do Government propose giving to the zamindars in the matter of payment of road cess?

(*f*) Do the Government intend introducing legislation to amend the Road Cess Act? If so, on what lines?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) Yes.

(*b*) The deputation discussed with the Member of the Board the difficulties which they were experiencing in collecting the cess from their tenants.

(*c*) The Member of the Board said that if the district board would pass a resolution under section 46 of the Local Self-Government Act of 1885, reducing the rate of road cess under section 38 of the Cess Act, he would advise Government to pass orders reducing the rate of public works cess to a proportionate degree under section 39 of the Cess Act.

(*d*) Yes, it may be impossible to realise the entire amount due this year in Pabna.

(*e*) It has been decided to reduce the rate of cess to be levied in Pabna during 1933-34 from 12 to 9 pies. A statement has already been made on the subject.

(*f*) The matter is under consideration and a Bill is being drafted. The present intention is to adopt the system of fixing the cess on a uniform valuation, which may vary in different tracts for all lands other than waste lands instead of upon the rent paid by the cultivators.

DEMAND FOR GRANT.

22—General Administration.

Mr. SHANTI SHEKHARESWAR RAY: Sir, as I pointed out yesterday, in this matter there was no question of status involved, and I think, Sir, that the Hon'ble Ministers should not take shelter behind the question of the salaries of the Members of the Executive Council in demanding their salary. At the same time, I must admit that there is that feeling about equality of pay between Ministers and Members of the Executive Council. So I have placed this suggestion as a way out of the difficulty. It is not to be taken as a motion of censure. As a matter of fact, it is not my intention to press this motion to a division or put to the vote. Sir, I have placed my idea to the Ministers. They may think over it and if they find it acceptable, they may work accordingly. There can be no question of stimulating their instincts of charity by means of a cut motion.

Mr. PRESIDENT: Do I take it that you are asking leave to withdraw your motion?

Mr. SHANTI SHEKHARESWAR RAY: Yes, Sir.

The motion was then by leave of the House withdrawn.

Babu JITENDRALAL BANNERJEE: I beg to move that the demand of Rs. 1,81,600 under the head "22E—Ministers" be reduced by Rs. 100 (disapproval of the policy of the Minister of Education and his administration of his department).

Sir, I move this motion with a certain measure of reluctance. It is needless for me to assure the House that there is no question of personality in the matter—no question of personal feeling whatever. In point of fact, the Hon'ble Minister for Education, as far as I can judge, is a most excellent and amiable gentleman, very obliging in his manners, and there is no question of taking personal offence at any of his acts. But I should like to make it the main point in my charge that he has failed to justify his existence as Minister for Education and that the record of his Ministry contrasts very unfavourably with the record of his two colleagues. Sir, I do not like to make any invidious comparison, but some details must be referred to for the purpose of making my case complete. So far as the other two Ministers are concerned, they have had a plentiful record of activity to show. The Minister for Local Self-Government has really achieved something to be proud of. He has piloted two exceedingly important measures through the House and has succeeded in getting the assent of the House to them. He has discharged his duties with an amount of tact, suavity and ability which has extorted the highest admiration of all concerned. The Hon'ble Nawab Faroqui has also done something towards tackling the difficult problem of finding employment for the educated middle classes of Bengal. But so far as the Minister for Education is concerned, I must say that his record is a blank! He has held the portfolio of Education for a longer period than any other Minister—he has held it ever since 1929 and during these three years his record of work has been a perfect blank!

Sir, I shall begin with University education. When Dr. Pramatha Nath Banerjee withdrew his Bill regarding University reform, it was on the distinct understanding that Government was contemplating the introduction of a measure on the same lines for the purpose of reforming the administration and constitution of the Calcutta University. That was more than three years ago; and since then we have heard nothing more about the matter. Government seems to have applied a sop to its conscience by appointing a Special Officer for University reform. I have always found that whenever Government means to do nothing it appoints a Special Officer on a special salary with special allowances; and this time the officer appointed was a very superior person indeed.

I shall refer to him again in connection with primary education. This superior person, Dr. Jenkins, an eminent graduate of the Sheffield University and at one time Professor of Chemistry somewhere, was appointed to be Special Officer for University reform. He entered into various negotiations with the University and draft Bills were also prepared, but not one of those draft Bills have seen the light of the day yet. They have never been introduced in the Council, and I should like to know from the Minister of Education why it has been so.

Sir, from the question of University education let me pass on to the question of primary education—from the top to the bottom. Sir, when the Hon'ble Minister took up this question of primary education he exhibited a certain amount of fervent zeal in the matter. He got the Act passed in a hurry because the matter could not wait. I have been reading the speeches which the Hon'ble Minister delivered in Council at that time—I was not present when the Bill was passed— and I have been reading them with interest and amusement. The Hon'ble Minister declared that he had been touring all over Bengal and during his tour he had found that people were burning with zeal for primary education so much so that they did not mind paying any amount of additional taxation for the purpose of securing this blessing. That was the drift of his speech three years ago, and I should like to know very much from the Hon'ble Minister what he has done within the last three years beyond appointing another Special Officer for the purpose of furthering the cause of primary education. Sir, we have been told with a flourish of trumpets that this year he has made a provision in the budget of Rs. 8,000 for the purpose of solving the question of primary education in Bengal.

I do not know whether the Hon'ble Minister was poking fun or not, for I cannot understand how this ridiculous sum of Rs. 8,000 per annum would be adequate for the purpose of providing primary education. And how is this magnificent amount of Rs. 8,000 proposed to be spent? Not on any *bona fide* educational object at all, but for the purpose of providing travelling allowance for the Special Officer for Primary Education. Dr. Jenkins, as I have said before, is a very superior person; he flourishes his eye-glass in a manner indicative of supreme wisdom, he looks more wise than anybody can possibly be. But it is not on record whether he has had anything to do with primary education before. Primary education means the acquiring of the Three R's by ignorant village boys. What has Dr. Jenkins got to do with the subject? Is he familiar with the conditions obtaining in rural Bengal? Has he had any previous experience of organizing it? He may have been a distinguished Professor of Chemistry. (A VOICE: Not Chemistry, but Physics.) Well, let it be Physics; I am sure he has forgotten both subjects by this time—and so it matters all the less. Moreover, the money provided for him—how is it proposed to be spent?

The Special Officer, being a senior person, must have a special office of his own with magnificent equipment. And so we have a table costing Rs. 200. Rupees 40 for a pair chairs and Rs. 450 for a new typewriter for our Special Officer like Secretaries, Members and Ministers must have a stenographer of his own. And when all those expenses have been met nothing, I am afraid, will remain for spending upon the trifling matter of education itself. Besides, what is the Special Officer meant to do? What does the Hon'ble Minister want him for? Statistics, date, material—are they not all before him, pigeon-holed in the bureaus of the Government departments? And could not the district boards, which are already dealing with all the additional information that he might require?

Lastly, there is another charge which I should hope to make against the Hon'ble Minister. I approach the topics with a certain measure of diffidence, for I know that it is likely to be misunderstood in certain quarters. That point has reference to certain appointments that have been made in the Education Department. I may remind the House again that there is nothing communal in the matter, and if the Hon'ble Minister can make a good case in reply to my charge, nobody would be more delighted than myself. My point is that, in the matter of educational appointments, there has been a distinct communal bias in the conduct of the Hon'ble Minister. So far as appointments in the other departments are concerned, it does not very much matter whether there is a certain amount of communal bias or not. You can choose your sub-registrars and Excise Inspectors from anywhere, and I shall not very much mind; but the Education Department is the one department where the principle of minimum qualification must find no countenance whatever. Here the only principle to be followed should be, not of minimum qualification, but maximum qualification. It will be a betrayal of a sacred trust if the Minister for Education, in making appointments in his Department acts on the principle of minimum qualifications. In the matter of education, if a man can get the best, and he passes over the best for the second best, it is not a blunder, but a crime. I shall be able to show before this Council that the Minister has been guilty of this crime, not casually or once or twice, but as a matter of policy, as a matter of deliberate and habitual conduct. Sir, I shall refer first of all to a case near at hand, the case of an appointment in which two colleges were concerned, the Krishnagar College and the Presidency College. Some time ago, I believe, it was last year, the Principal of the Krishnagar College wanted a new Professor of Chemistry on the retirement of a very senior man, Rai Bahadur Kiran Chandra Mitra. The Principal wanted a first class man for the post as otherwise the department could not properly be managed and organised, and he was backed by the unanimous opinion of the governing body. The Principal, acting in co-operation with

the governing body selected three persons and forwarded their names to the Department. What was the reply of the Department? The Department asked the College whether they could not find employment for a Muhammadan 2nd class M.Sc. I say that the suggestion itself was atrocious, but the way in which things developed afterwards was far worse. The Principal of the Krishnagar College stuck to his previous request; he said that he wanted a first class man as otherwise the quality of work would suffer. Government, I say, always affects to be very keen about the quality of work in Government colleges; and it makes a point also of giving a considerable measure of autonomy to individual colleges in affairs of internal administration. But in this case, in spite of the persistency of the Principal and the governing body, what happened? The Principal had wanted a first class man for his College; and so a third class man was picked out from the Presidency College and sent to Krishnagar. Perhaps, this was intended as a double penalty—a penalty for the Principal as also for his College. But now mark the consequence. Owing to the device of the Department, a vacancy had been created in the Presidency College; and how was it going to be filled? The Principal knew nothing about it; the governing body knew nothing about it; but one fine day a Muhammadan gentleman turned up and said "I am the new Professor of Chemistry here". The Principal said "I know nothing about it"; but the Professor said that he had got his appointment direct from the Hon'ble Minister, he had his letter of appointment in his pocket. The Principal knew nothing about it; the governing body knew nothing about it; and yet over the heads of these authorities a man of inferior qualifications was appointed where a man of superior qualifications was needed and was available.

Sir, I shall now pass on to the case of Hooghly College, of Babu Tarak Nath Sen. Sir, the matter was already raised in the House in the course of certain interpellations; the case is one of such flagrant injustice that I make no apology for referring to it again. Sen is a man of brilliant University qualifications——

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of order, Sir, is Mr. Bannerjee entitled to discuss a matter which was the subject matter of a question in this House?

Babu JITENDRALAL BANNERJEE: That is not a point of order; it is not as if it were a *sub-judice* case. The Khan Bahadur is very quick in raising points of order which are no points of order at all. Sen stood First class first in the Matriculation Examination getting a record number of marks in the University. Two years after, he again stood First class first in the Intermediate Examination, getting distinction in all the five subjects in which he offered himself for examination.

In the B.A. Examination he stood First class first in English and in the M.A. Examination, he once again stood First class first. A record of uniform brilliancy. He was appointed for some time to officiate as Professor in the Hooghly College; worked in that capacity for over four months; and his superiors were satisfied with the quality of his work. The Principal pressed for the continuance of the engagement, and the governing body heartily concurred. But once again, in utter defiance of the combined opinion of the Principal and the governing body, another man was appointed; and Tarak Nath was rejected presumably for the crime of having had a distinguished University career.

I shall now refer to another appointment, this time the appointment of one of the Divisional Inspectors. Just as there are five administrative divisions, so there are five educational divisions; and would the House believe it, that last year there was a time when all the Divisional Inspectors were Muhammadans——

Maulvi ABUL KASEM: Not last year.

Babu JITENDRALAL BANNERJEE: Yes, in 1932. Is that quite clear? But suppose it was in 1931 or 1930, would that very much matter? (A VOICE: Never, never.) There was a time when all the five Divisional Inspectors were Muhammadans and I ask—is this state of things an accurate reflex of the relative educational advancement of the two communities? Let them all be Muhammadans, I do not object; but my point is that they are all men of inferior qualifications some of whom are absolutely unsuited for the work they have to do: they were selected upon no other ground except that they belonged to a particular community. On the retirement of Rai Bahadur Khagendra Nath Mitter last year there was a vacancy in the rank of Divisional Inspectors; and it was proposed to fill that vacancy by putting in one of the most brilliant and successful officers of the Education Department, a man of the highest educational qualifications, whose name is a charm with the student community, than whom a more successful Professor has seldom served in the Presidency College itself. He is not only a man of brilliant educational attainments, but for the last six years he has been intimately connected with the School Board, the Calcutta University and has done yeoman's work in that connection. But this man was cast aside for the purpose of making room for another Muhammadan. And how was that done? There was a double jobbery in the matter. Dr. Kamaluddin was Inspector of Schools in the Chittagong Division at this time; and behind that also, there is a history. Before he was appointed as Inspector of Schools, Dr. Kamaluddin was for some time Principal of Krishnagar College. But he was found to be inefficient for the discharge of the administrative duties of his office; and because he was found inefficient so far as the ordinary administrative duties of a college Principal are concerned, therefore he was transferred and promoted for

the purpose of performing the much higher administrative duties of a Divisional Inspector of Schools. Dr. Kamaluddin was found inefficient, and was rewarded for his inefficiency; and now he was to be rewarded for the second time once by being transferred to the metropolitan circle of the Presidency Division. And in his place was appointed Mr. Abu Jaffar, a Punjab Muhammadan with third class qualifications and innocent of all knowledge of Bengali.

Khan Bahadur MUHAMMAD ABDUL MOMIN: He was not a Punjab Muhammadan.

Babu JITENDRALAL BANNERJEE: I challenge Khan Bahadur Momin to deny that he is a Punjab Muhammadan with third class qualifications, and innocent of all knowledge of Bengali. A man ignorant of all knowledge of the vernacular of the province, is appointed to supervise Primary and Secondary education! Could you conceive of a state of things more scandalous than this?

Sir, these are instances to which the Hon'ble Minister ought to give an adequate and satisfactory answer. I know what the fate of my resolution will be: I know that communal passions are sure to be roused, and some people will jump up and say——

Maulvi ABUL KASEM: That is what you are doing.

Babu JITENDRALAL BANNERJEE: Yes, yes, I have given facts which you cannot refute.

Maulvi ABUL KASEM: When opportunity arises we will do it.

Babu JITENDRALAL BANNERJEE: Maulvi Abul Kasem is an expert in educational matters, he took a dozen years in an attempt to pass the B.L. examination. No one has had a more varied or thorough-going experience of the system of University education. Our humble careers were finished in five years or six, he took a dozen. I bow before his superior attainments and knowledge. If the Hon'ble Minister has an adequate reply to give, no one would be better pleased than myself.

As I began by saying, there is no question of personal or communal bias behind my motion. But the precincts of education ought to be kept sacred and inviolate; no considerations, except the considerations of efficiency alone, ought to have weight or influence there: and it is for his failure to act upon the principle that I move the vote of censure upon the Minister of Education.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, after the torrential outburst of Mr. Jitendralal Bannerjee in which he has, in the name of

sweet words, chosen to kick everybody right and left, it will be very difficult for me to adequately reply to him. To reply to him adequately requires an equal travesty of facts, an equal distortion and an equal twisting of facts to one's own convenient purposes, whether right or wrong does not matter. I do not wish to answer some of the points which arise directly out of his speech in so far as the Minister of Education is concerned, but I certainly consider it is not very fair on his part to criticise a man in this House who is not present in the House to defend himself and when he has no opportunity to defend himself, and more especially when all his facts are unwarranted and beside the point.

Take the case of Dr. Jenkins. My friend in the first instance tried to paint a picture of Dr. Jenkins from which an outsider will take Dr. Jenkins to be absolutely a fourth class man. I had the privilege of serving with Dr. Jenkins in several committees, and I do think that among the Indian and European members of the Educational Service, he is one of the most capable men. Everyone who has come in contact with him will admit that Dr. Jenkins is one of the few persons who has tried to do his best with a view to finding out a solution of the complicated problems connected with the Calcutta University, whether concerning officials or non-officials. And for more reasons than one we have not hesitated to pay a tribute to Dr. Jenkins for what he has done for the Calcutta University. I do not know whether Mr. Jitendralal Bannerjee has ever met Dr. Jenkins, except hearing that Dr. Jenkins is a member of the Indian Educational Service. Apparently he has not done so and he knows nothing about him, for he was fumbling as to whether he holds a degree in Physics, or in Chemistry. In spite of the fact that Dr. Jenkins is not a Professor of English or a master of English, or has not written Catechisms and Keys, or possibly might not have the torrential eloquence of my friend, Dr. Jenkins is one of the most pleasing personalities in the Service, and I must give him due credit, even though he has been now much abused in the House.

Then, I do deny that Mr. Jaffar is a Punjabi. The pity of it is that Mr. Bannerjee always obtains his informations from the cheapest fish markets. Mr. Jaffar is not a Punjabi and it is not a fact that he does not know Bengali. He was brought up in Bengal from his childhood, and has studied in the Calcutta University, and I remember to have seen him there in my younger days when I myself was a student. It is probable that he comes from Lucknow, but having lived in Bengal practically all his life, he can claim to be a Bengali as much as we Bengalis are. Mr. Jaffar is one of the best men in the Service except that he is a Mussulman; his only crime is that he is a Mussulman. I should have expected that Mr. Bannerjee would have come forward with reasons to warrant his conclusion.

Well, Sir, I will not say anything about the case of Mr. Kamaluddin, as Principal of the Krishnagar College. What he did as a result of which he was transferred, I do not wish to rake up to-day. I have personal knowledge of all the incidents and suffice it to say that Mr. Bannerjee is as much wrong there as he is in his other matters. My friend has cited the instance of the Krishnagar College. Here he said that there was a vacancy in the post of Professor of Chemistry. But he is altogether mistaken. He has been briefed with most superficial facts and facts which do not deserve to be called facts. It was not a vacancy for the post of Professor of Chemistry, but the post of Lecturer of Chemistry in that college. It is the misfortune of Muhammadans to-day that even in posts of an ill-paid teacher or of an ordinary lecturer—just as it is in the Krishnagar College—even if a Muhammadan, a 2nd class M.Sc., applies, the doors are shut and he cannot get any educational service under the Government, even though it is admitted by Mr. Bannerjee that there is a 3rd class M.Sc. in the Presidency College. But he is not a Muhammadan, and efficiency does not suffer.

Babu JITENDRALAL BANNERJEE: He is a Laboratory Assistant, not a Professor.

Khan Bahadur Maulvi AZIZUL HAQUE: That is the real complaint of the Muhammadans. From the Krishnagar College I will cite another instance; it rose in a similar manner. There was a vacancy in the Lecturership of Physics. The Professor in the department was a man who, though not a Muhammadan, was promoted to the grade of Professor after being a Lecturer, although he was only a 3rd class M.Sc. Muhammadans with 2nd class degrees now apply and are told that others have a superfluity of degrees such as M.A., Ph.D., D.Sc., for a post on Rs. 125. If Mr. Bannerjee objects to such appointments the honest course for him would have been to ask the Government to scrape out the circular about the percentage of Muhammadans employed in all Government institutions. I do admit that there are posts in the Educational Service—and we have recognised that fact in the reorganisation scheme of the Calcutta University—which require first class scholarship and first class ability at all costs and also a certain amount of administrative experience—men in whom everybody might have confidence. But that is in cases of heads of departments, posts of Professors. If Mr. J. L. Bannerjee says that for the post of a peon a Ph.D. or a 1st class M.Sc. should be appointed, then forsooth there is an end of everything and it would not be possible for any backward community to regain its steps.

The grievance really is there; here was a post of Lecturer vacant, and it was quite sufficient if with a Professor who was only a 3rd class man a 2nd class Muhammadan was appointed, yet when for the

post of a Lecturer a Muhammadan with a second class degree is appointed, he deserves the condemnation of my friends!

I remember several instances in connection with the Krishnagar College and other colleges wherein Muhammadan students got no chance. I myself wrote a strong note to Government to declare once for all that Muhammadans have no chance if they take to the Science course, because Government colleges will not give any chance to Muhammadan graduates so long as there are non-Muhammadan D.Sc's, M.Sc's and Ph.D's, of which they have, however, a good number to-day. I do not complain, but from the point of view of my community, are we to understand that in Government institutions Muhammadans will have no chance, not in the highest but even in the lowest posts, because they have no superfluity of degrees? After all the Muhammadans are a backward community. Do not shut the door against them perpetually from all avenues of public service. My friend has not, however, cited the instance of a Moslem D.Sc. whom it took a considerably long time to get appointed to some form of Government service.

My friend has again referred to the Hon'ble Minister as regards the Calcutta University Bill. I do not know whether my friend tried to understand the state of affairs in the Calcutta University. Suffice it to say that this Bill was connected with a thorough re-organisation of the Calcutta University's work and which entailed a good amount of money which was required before the Bill could be put into shape. That being so, it is very difficult to find any money for the Calcutta University until the financial situation improves and, after all, it does not look well for the Minister to bring in a Bill without arranging for the necessary finance. These two measures go hand in hand and my friend Mr. Bannerjee does not know at what stage the Bill was left off and the reasons why. Mr. J. L. Bannerjee's colossal ignorance is also proved by the fact that he said that the Hon'ble Minister has done nothing for primary education. Everyone remembers that immediately after the passing of the Primary Education Act, we were faced with an acute economic distress, and it is therefore not the time to put the Act into operation. That cry came from Mr. Bannerjee's side of the House, but so far as the Muhammadan community is concerned, they are still of opinion that the Act should be put into force. I think Mr. Naximuddin does not stand here to vindicate the cause either of the Hindus in particular or the Muhammadans specially and that is why he thought that the prudent course to take would be to leave the Education Act as it is and to bide his time. But in the meantime he has not been idle. He has asked every district board including that of the Nadia District Board—whence I came to know—whether it would be ready to co-operate with Government in initiating an optional scheme with a view to put the full scheme in working order later.

Replies from a goodly number of district boards have come in and some district boards have promised to put it into operation at an early date. Certainly that requires a certain amount of organisation because primary education is neither satisfactory from the point of view of Government nor of the people. I shall not take much time of the Council in referring to other matters, but these are matters which are within my knowledge, and I venture to say that so far as the Education Minister is concerned, the only charge against him is that he has appointed so very few Muhammadans.

Khan Bahadur MUHAMMAD ABDUL MOMIN: In this House we are accustomed to outbursts from my friend Mr. Jitendralal Bannerjee, but to-day he has actually run amok, and I think he should be treated like persons who run amok.

Mr. NARENDRA KUMAR BASU: And shot down.

Khan Bahadur MUHAMMAD ABDUL MOMIN: When he started his argument I was wondering what was the grave charge against the Education Minister that he was going to make out, and until he came to the communal aspect of the question I was practically in the dark. As has been explained by Khan Bahadur Azizul Haque the sum total of the offences of the Education Minister seems to be that he has given some appointments to some Muhammadans which do not find approval in the hands of Mr. Jitendralal Bannerjee and his colleagues. Mr. Jitendralal Bannerjee is very angry because at one time all the five Inspectors of Schools were Muhammadans, but he forgets that there had been many years when all the Inspectors were Hindus and not only Inspectors but Assistant Inspectors and others below. These are accidents of service and these appointments are made according to seniority, and it was not by any design that all the Inspectors should have been Muhammadans. I am surprised that Mr. Jitendralal Bannerjee should take objection to this. He has complained that men of second and third class have been given preference over first class. I do not know these individual officers and do not propose to defend them. But I should like to remind Mr. Bannerjee that University degrees do not always mean efficiency any more than eloquence always means sense.

Mr. NARENDRA KUMAR BASU: The Khan Bahadur is eloquent to-day.

Khan Bahadur MUHAMMAD ABDUL MOMIN: When on the subject of the Primary Education Act I think he was on a ground on which many of us would agree, but the entire blame cannot be laid at the door of the Education Minister, for to our disappointment,

the Act has not been introduced as fast as we would like it to be introduced. The Minister is a victim of circumstances over which perhaps he has no control. There may be many reasons, financial mainly, which prevent him from rushing forward and enforcing the Act all over the province at the same time, although we on this side would like a much more rapid progress than has yet taken place. We cannot say that we entirely agree or approve of the appointment of a Special Officer and the expenditure of Rs. 8,000 on him for looking after the introduction of the Primary Education Act in a few places. My chief complaint is that this House has not been consulted in this matter. But after all it is a question of Rs. 8,000 only and the Minister probably wants to feel his ground before he extends the operation of the Act any further.

I am not going to discuss the merits of Dr. Jenkins. I do not think it is right that he should be discussed in this House. With regard to the appointment of an officer to a particular post we must accept the verdict of the superior authorities of the Education Department who know his merits and demerits more than outsiders like ourselves.

Coming to some of the officers whose appointments Mr. Bannerjee has criticised, I wish to contradict him as regards one or two whom I personally know. Mr. Abu Jaffar is neither a Punjabi nor has he got a Punjab University degree; he is a Kashmiri in perhaps the same degree as the Hon'ble Minister; but he is a Calcutta University man from top to bottom. I know him personally because he was my Assistant in the Census Department years ago and from that department, on my recommendation, he was appointed to the Education Department. He is an efficient educationist and a very good executive officer. As regards his knowledge of Bengali, the fact that he has passed in Bengali ought to be sufficient. I think it is very bad form to discuss Government officers on the floor of this House without knowing anything about their merits and demerits. They have no opportunity of defending themselves, and the superior authorities who are on the other side would feel rather delicate to defend them because in defending them they defend themselves. I deprecate very strongly the attitude which Mr. Jitendralal Bannerjee has shown to-day in moving this motion.

Mr. PRESIDENT: Khan Bahadur, you cannot complain if they criticise officials in their official capacity.

Mr. SYAMAPROSAD MOOKERJEE: The time at our disposal is very short, and I do not like to say much on this motion. I feel, however, it is my duty to say just a few words with regard to the present Education Minister, so far as the Calcutta University goes. Perhaps all the members here are aware of the strained relationship that existed

between the University and the Government for many years past. We passed through days of acute controversy. That relationship has ceased to exist to-day and that is due, I must frankly and openly acknowledge, more than anybody else to the Hon'ble Mr. Nazimuddin, the present Minister. On account of financial difficulties, we were almost threatened with dissolution and I would refer particularly to the recurring grant which has been recently made in favour of the Calcutta University, which has been due, notwithstanding the present financial difficulties of the Government, to the joint efforts of the late Chancellor Sir Stanley Jackson and Mr. Nazimuddin. That is one aspect of the matter, which we must in fairness to truth bear in mind while discussing the present resolution.

With regard to the University Bill, it is true that it has not been possible to bring that up before the Council. But with regard to both this Bill and the Secondary Education Bill, we have had a number of joint conferences. The question, however, is indeed a very complicated one as it is not merely confined to a new machinery for the administration of the University, but if the present system of education is to be improved, and there is unanimity on this point, then Government must find sufficient funds to be placed at the disposal of the educational institutions. It is no use your finding a costly administrative machinery if you cannot come to the rescue of the affiliated institutions—hundreds of schools and colleges which are at present under the control of the University and are struggling hard against financial difficulties. That is a point on which it has not been possible for the University and the Government to come to an agreement. Certain draft Bills were prepared and some progress was made with regard to them. But no final decision could be arrived at.

With regard to this motion, Sir, I do not mean to say that I have found myself in agreement with the Hon'ble Minister in everything that he has done. There have been many instances on which we have differed—for instance, with regard to the discontinuance of the non-recurring grant of Rs. 1,29,000, the old Imperial grant distributed for many years through the agency of the Calcutta University, which will form the subject of discussion when the Education demand comes up later. While that is so, we must not also forget the services rendered by the Minister towards the stabilisation of the University.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, I cannot command the eloquence of Mr. Jitendralal Bannerjee, but I would request the House to give me a patient hearing and judge this question on its merits entirely. I personally in a way am grateful to Mr. Jitendralal Bannerjee, as he has given me an opportunity of clearing the misunderstanding and suspicion that may have arisen in the minds of some of the members of this House that appointments in the Education Department are being made on communal lines. Later on I will

show that there is no justification for this assumption whatsoever. But before I go on to deal with that point, I would like to reply to the other points which have been raised by Mr. Bannerjee. As regards the University Bill, Mr. Syamaprosad Mookerjee has already explained the reason for the delay. The University and the Government have been in correspondence, and it was at the request of the University that Government should not introduce the Bill until the University were in a position to make their final recommendation on the draft Bill of Dr. Jenkins that so far no action has been taken by Government. There is also the fact that I do not think this an opportune time to introduce a Bill of this character which requires radical alteration in the constitution of the University. But there is one thing I would like to point out, namely, that owing to the introduction of the re-organisation proposals, a great deal of necessary reforms in the University has been effected and those reforms on which Government were particularly keen have been given effect to, and therefore that urgency about the Universities Bill does not exist at present as it did at the time to which Mr. J. L. Bannerjee referred when the Government gave an undertaking.

The second thing I would like to refer to in this connection is that Mr. Bannerjee has given me an opportunity of publicly acknowledging the services of Dr. Jenkins in helping the Government to come to an agreement with the University in regard to the grant. It was largely on his advice and on the figures worked out by him that Government were in a position to come to an amicable agreement with the Calcutta University.

The next question raised by Mr. J. L. Bannerjee is about primary education. Khan Bahadur Azizul Haque and Khan Bahadur Abdul Momin have already explained that it is not for any want of desire on my part that the Bill has not been enforced so far. I do not yield to any Member of this House the privilege of being more anxious to enforce the Primary Education Act than myself. Sir, the Bill has not been enforced, not because Government were not in a position to fulfil the undertakings they made at the time the Bill was passed. As far as Government contribution is concerned, there is no difficulty about it. We undertook to provide Rs. 25 lakhs and we can do so even now. The main reason is that the enforcement of the Act presupposes the imposition of the cess and at the present time we cannot conceive the idea of additional taxation either on the tenants or on the *zemindars*. I ask the Members of this House—those Members who are particularly keen on primary education—just to say whether in their heart of hearts they think it possible for the cultivators, however insignificant the sum may be, to pay the education cess. Mr. Thompson says it is easy. I am afraid, Sir, Mr. Thompson who was a District Officer some years ago, does not know what the present conditions of the tenants are.

The district board cess is one in which the tenants are vitally interested. Even that cess is not being realised and they are in heavy arrears, and I cannot but think that if this cess is imposed now, it will alienate the sympathy of the cultivators, and instead of becoming a popular Act it will become extremely unpopular. That is the only consideration which prevented Government from enforcing this Act.

The time is very short and I will not take the time of the Council to explain the duties of Dr. Jenkins in connection with the partial scheme. One thing I would make perfectly clear and it is this: That the sum of Rs. 8,000 is not the only sum that Government is providing for the partial enforcement of the Act. On page 101 of the Red Book you will find a provision for a sum of Rs. 65,000 which Government is advancing as loan to those district school boards that will be constituted under this Act, and this money will be spent, we hope, in 1933-34 towards the introduction of this partial scheme. Even in this time of financial stringency Government have provided Rs. 65,000 plus Rs. 8,000 for the partial enforcement of the Primary Education Act.

Now, Sir, I will revert to the question of appointments. There is just one thing which I must at the very outset make very clear. I cannot understand an experienced member like Mr. Jitendralal Bannerjee suggesting that the Lecturer went to the Presidency College with a direct letter of appointment from the Minister. It may be an advocacy to gain the sympathy of the people, but it certainly cannot be near the fact. Ministers never directly give letters of appointment. Now, Sir, let me first discuss this question of principle underlying the appointments of Muhammadans. Before I show that Muhammadans have not been actually appointed in excess of the number approved by Government, as laid down in the circular, I would like to show why Muhammadans are claiming that more Muhammadans should be appointed in the educational institutions. On the one hand, Mr. Jitendralal Bannerjee and others claim that as far as educational institutions are concerned, it is absolutely necessary that no consideration should be given to the question of communities, but that the best men should be appointed and that it will be to the benefit of both Hindus and Muhammadans if you appoint the best men to the educational posts. On the other hand, the Moslems claim that there is a justification for appointment of Moslems in educational institutions; and why? That is a point I would like to make clear. What after all is the reason that the Muhammadans prefer to have a certain number of Moslems in educational institutions rather than having the best and very best Hindus. The thing is that sometimes it has been felt by Moslem students in educational institutions that educational officers while strictly carrying out their duties about giving instructions, lectures and notes, do give something more than what is required of them, that is to say, sometimes there are students—let me put it like this: there

might be two or three students of brilliance sitting for the B.A. Hono and M.A. Examinations; the question is one of getting the firs second or third place. Human nature being what it is, none Mosle students get more help from Hindu Professors (Cries of "No, certain not; can you give any instance. Shame, shame, you do not deser to be a Minister"). I would appeal to the Members to hear what say. I would say that as far as their duties are concerned, I am n prepared to suggest that any officer does not do his duty properl but as far as these extra things are concerned, there is no reason wh if they like a particular student, they should not give him extra instru tions—certain extra help. I do not see why this should be consider as something absolutely wrong. There is nothing wrong in this. may like a certain person and may go out of my way to give him son extra help beyond my own legitimate duties, and the Moslems feel th for that reason there should be a certain number of Muhammadan officer As far as my responsibilities for the appointments are concerned, the had been even before I was appointed this circular of Governme regulating the appointments of Muhammadans in the ministerial a educational services in Bengal. It was to the effect that at least o in every three vacancies should go to a Muhammadan provided possessed the minimum qualification. Sir, Government accepted t policy that a certain number of appointments should be reserved f Muhammadans. This avoids the anomaly that may arise. If y advertise a post and say that preference will be given to Muhammadan and if in such a case both Hindus and Muhammadans apply and afte wards a Muhammadan gets the appointment, although he has got inferi paper qualifications to the best qualified Hindu, there cannot be a objection as Government have issued the circular, that one in eve three posts should be given to a Muhammadan provided he had t minimum requisite qualifications. And on that basis the Hoogh appointment has been made. The advertisement that was published f that appointment is as follows:—

"Applications are invited for a temporary post of a Lecturer English from July 6 on a pay of Rs. per mensem. A fir class or a high second class M.A. degree and teaching experience in first grade college are indispensable qualifications. Preference wi be given to a Muslim candidate, if one with the requisite qualificatio is available. Applications should reach the Principal on or befo April 18, 1932."

This meant that if a qualified Moslem possessing a second class hig place or a first class was available, no other applications would considered. (MR. JITENDRALAL BANNERJEE: What was the opinion the Principal?) The question of the opinion of the Principal do not come in. When we invited applications we said that if the was a qualified Moslem available, it would go to a Muhammada

Sir, on that basis alone, because there was a high second class Moslem available, the appointment was given to him. I submit that as a Minister responsible to this House it was my duty, in view of the Government circular, to give effect to it. I ask the other gentlemen who are against this idea, what would have been their attitude if I failed to give effect to a definite Government circular. I take it that the appointment was not meant for a non-Moslem until and unless it was proved that a qualified Moslem was not available and then and then only the question of other candidates should have come in. It is, therefore, immaterial whether Mr. Tarak Nath Sen was the best candidate or not. The question was that his qualifications were not to be considered unless and until we found that there was no qualified Moslem available. The Principal did not know under what terms the appointment was being made. He did not realise the position under which the appointment was being made. The fundamental condition of the appointment was that if Moslem candidates were available, the question of non-Moslem candidates was not to be considered.

Then I refer to the question of the Krishnagar College. There again, the same principle applies, namely, that the appointment was reserved for a Moslem. The Principal of the college himself is a Professor of Chemistry and an officer of great reputation. A Lecturer was wanted and a 2nd class M.Sc. who was a retrenched officer was available. I ask this House in all fairness to say, had they been in my position, whether that appointment should not have been given to him; are they prepared to accept this, that even with requisite qualifications Moslem candidates were not to get the appointments?

Then we come to the most important question of the Divisional Inspectors. It is, perhaps, unfortunate that just for two months there were no Hindu Inspectors, because Mr. K. C. Roy went on leave, and I claim that the man who was appointed as the fifth Inspector was taken from the Inspectorate, he being the most senior man, excepting the one who was also a Moslem, and according to the Government policy which was many a time referred to by the Hon'ble Mr. Prentice on questions raised by the other side of the House that promotions are made on efficiency and merit alone, Mr. Abu Jaffar was appointed; he was the seniormost officer and of merit. There was no Hindu candidate in the Inspectorate either in order of seniority or by merit equal to Mr. Abu Jaffar, and no other suggestion was made by the department or by anybody with regard to the filling up of this post. Before I conclude I would like to give a statement of figures. Out of the 12 appointments made during 1931-32 and 1932-33 in the Bengal Educational Service in the Education Department only three have gone to the Moslems and nine to the non-Moslems, and on that I have been condemned time and again that Moslems are being appointed. Similarly, the figures about the Inspectorate are practically about the same. It

will be seen that what the Minister has done is merely to give the Moslems the minimum of what they are entitled to and that was, I submit, on merit. If I had the time I could have proved that all these appointments were made on merit and not because they were Moslems, but unfortunately I have not the time. As regards Mr. Wadud's appointment, I should like to point out that he is a high 2nd class B.A. of the Dacca University where the B.A. Honours Course is of three years, while Mr. Tarak Nath Sen has just passed the B.A. Examination from the Calcutta University with high distinction, but Mr. Wadud has more experience, as far as teaching is concerned, than Mr. Tarak Nath Sen. Therefore, merely on account of his academic qualifications without any adequate teaching experience, he cannot be said to be absolutely the better of the two——

(The Hon'ble Minister having reached the time-limit, resumed his seat.)

The motion of Mr. Jitendralal Bannerjee was then put and lost.

The total time allotted to this demand having been reached, all other motions failed.

The original demand that a sum of Rs. 99,40,000 be granted for expenditure under head "22—General Administration" was then put and agreed to.

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

The Hon'ble Mr. W. D. R. PRENTICE: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 77,71,000 be granted for expenditure under the head "24—Administration of Justice."

The general remarks on this demand will be found on pages 58 and 59 of the Red Book. It will be seen that the increase is practically all due to the substitution of a 5 per cent. cut for a 10 per cent. cut and the usual increments in pay. There is nothing else to which I would draw attention.

Babu SUK LAL NAG: I beg to move that the demand of Rs. 69,000 under the head "24A—High Court—Original Side—Registrar" (page 134, Civil Estimate) be reduced by Re. 1 (to discuss the question of Indianisation and retrenchment in the office). Sir, I feel somewhat nervous, as a layman, in intruding when the sacred precincts of the Original Side of the High Court. But it is a matter of common knowledge that all is not well with the High Court. I do not quite know what control this Council really has over expenditure in the High Court. I believe the position is very anomalous, but I think that as we have to vote the expenditure, we should be able to exercise real control. A system of dual control is bad.

I have based my motion on the recommendations of the Calcutta High Court Retrenchment Committee, appointed by the Government of India in 1923, so far as the question of retrenchment is concerned.

But let me first turn to the question of Indianisation. Our complaint is that the best posts are monopolised by non-Indians. In the High Courts of Bombay and Madras, I believe the chief officers are all Indians. But that is far from being the case here. I need only take a recent instance. A very qualified officer who had been holding a very responsible post, who has had over 12 years' experience, who had even officiated with credit as Registrar, has been passed over because presumably he is an Indian, in favour of a raw European who has had only six months' experience in another capacity, who was absolutely ignorant of the rules and procedure prevailing in the Department of the Registrar, Original Side. The highly technical character of the Registrar's work has been explained in paragraph 33 of the Report of the Calcutta High Court Retrenchment Committee. Further, the big posts are being filled up by non-Indians, as, for example, the Administrator-General, the Deputy Administrator-General and the Official Assignee. The authorities in the High Court are entirely outside the pale of Indian public opinion. They can scoff at it because they are directly under the Government of India. This evil is the result of a system of dual control as I have mentioned. I think it is high time that the Chief Justice paid due regard to the fact that in Bengal, there is a considerable volume of public opinion which demands that posts in all public offices should be filled up by Indians, Bengalees if possible. Next I turn to the question of retrenchment. As I have said, I take my stand on the Report of the Calcutta High Court Retrenchment Committee, 1923, and I summarise my suggestions:—

(1) Curtailment of occasional holidays and Saturday sittings for half-day, as recommended by the above Committee. What progress has been made in this direction? This will mean a good addition to work done by Judges.

(2) Reduction in the number of Assistant Registrars and Court Clerk as recommended in paragraph 42 of the Report. What has been done in this matter?

(3) I want to draw attention to the remarks of the Committee about the Registrar in Insolvency in paragraphs 44 and 46 of their Report. They say that the pay should be reduced. Similarly, they recommend that the pay of the Deputy Registrar should be reduced, and there should be a re-organisation scheme, pending which no permanent appointment should be made.

(4) The office of the Clerk of the Crown should be re-organised. The duties of the Clerk of the Crown can well be performed

by an Assistant Registrar and a considerable saving may be effected thereby.

(5) Regarding the Official Assignee, the Committee speak strongly about the extravagant remuneration he is getting, but I shall leave Mr. S. M. Bose in his motion No. 413 to deal with the matter.

(6) Then about the Sheriff. This office is a source of considerable profit to the incumbent as pointed out in paragraph 56 of the Committee's Report, but I leave this matter to be suitably dealt with by Mr. S. M. Bose in his motion No. 418.

I need not go into further details about the recommendations of the Committee. It will be noted that the Report was made in 1923, and since then there has been considerable fall in prices and salaries have been all along reduced. So the retrenchments in salary recommended are all the more necessary now.

There is another matter which I must refer to before I stop. Some years ago, a surcharge of 25 per cent. was allowed in all solicitors' bills. This was just after the War, but now having regard to the considerable fall in prices, I think it desirable for the relief of litigants, that this surcharge should be abolished. I have been as brief as possible, my object being to call attention to the necessity of retrenchment in the Original Side of the High Court. Very little attention has been paid to this matter owing to the unsatisfactory position of the High Court. The present arrangement of dual control duplicates work and divides responsibilities in a manner which may militate against economical administration (to quote from paragraph 7 of the Report).

I hope that the attention of the Government will be drawn to the matter. They should see that economies are effected in the High Court.

SECRETARY to GOVERNMENT, JUDICIAL DEPARTMENT (Mr. A. G. R. Henderson): I do not think it will be necessary for me to do more than explain the circumstances in which these appointments are made. Under the Letters Patent, it rests with His Lordship the Chief Justice to decide who are to hold these various posts and his choice merely requires the approval of the Governor General. It is, therefore, not possible for us to say who should have these posts and how many posts there ought to be, and so on. Mr. Suk Lal Nag referred to one post which has just been filled up by a certain gentleman. It is not for me to criticise the choice that His Lordship made. So far as retrenchment is concerned, Mr. Nag merely read over some recommendations which were made by the Retrenchment Committee which sat several years ago. All these matters have been dealt with. It is only natural that the questions were reconsidered when this Government appointed a Retrenchment Committee about

this time last year, and the question did come up whether any action should be taken with regard to the High Court. It was felt that it would not be proper to ask the Provincial Retrenchment Committee to go into any expenditure incurred in the High Court. However, there was some correspondence, and Government were satisfied that His Lordship the Chief Justice was doing all that he could to reduce the expenditure and to make the administration of the High Court as cheap as possible. I really do not think that we can do more than that. At the beginning of his speech, Mr. Nag made what we must all consider a very important point. He said that when this Council had got to vote the money for the High Court, they should be allowed to have a real control over it. That is a matter about which various opinions have been held; but at present it is not practicable, and it is not a matter that can be set right merely by a cut motion. It seems that the real course to take would be to throw out the allotment altogether, if by doing so, the Council could bring this matter to a head. But at present there is no proposal of this Government that the administrative control of the High Court should be taken away from the Government of India. I would, therefore, ask Mr. Nag to withdraw his motion, as I do not think it will achieve the end which he has in view.

The motion of Babu Suk Lal Nag was then put and lost.

Mr. MUKUNDA BEHARY MULLICK: I beg to move that the demand of Rs. 67,000 under the head "24A—High Court—Appellate Side—Registrar" (page 136, Civil Estimate) be reduced by Rs. 5 (to discuss that the Paper Book Department maintained in the High Court, Appellate Side, at an extra cost of public revenue, while actual costs are realised from the parties, is absolutely unnecessary and the same should be immediately dispensed with).

Sir, I hope I have made my idea of bringing forward a motion of this type in the House clear in the reason I have indicated. I think the House know by this time what the term "paper book" as used in the High Court means—a printed book containing the papers of the record of a case necessary for the hearing of an appeal in the High Court. It contains these papers only, which the parties think are necessary for reference at the hearing of an appeal. Sir, I shall not enter into a detailed discussion on the subject; what I shall maintain is this that when the costs are once realised from the parties for the preparation of paper books, to maintain one full department now which certainly did not exist before is not only absolutely unnecessary, but is a waste of public money, at least in these days of depression. You will find that appeals against the decrees in suits above the value of Rs. 5,000 lie directly to the High Court according to the Civil Courts Act though the same have to be instituted originally in the district courts. The appellant pays the court-fees on the

memorandum of appeal and also on the *vakalatnama*. This is the only obligation cast upon the litigant by the Statute as embodied in the Court-fees Act. Everyone knows how the same have gone up by 50 per cent. by the amended Bengal Act, IV of 1922.

The Civil Procedure Code has authorised the High Court to frame rules to conduct its own business and also of the courts subordinate to it. These rules must not be inconsistent with any statutory provision. The introduction of paper books and realisation of the cost for their preparation are parts of these rules. The consequence of a failure to comply with these rules is very serious as it involves, in spite of a litigant's observing the statutory obligations, a dismissal of his appeal, and if I am right this is happening almost every day in the High Court nowadays.

Now, Sir, at the time of presenting his appeal, an appellant has to deposit a sum of Rs. 50 in case the appeal is valued between Rs. 5,000 and Rs. 10,000, Rs. 75 if the value is over Rs. 10,000, but below Rs. 15,000 and Rs. 100 if it is over Rs. 15,000—called the "initial deposit," to meet the paper book costs which are subsequently estimated.

When the records are received in the High Court, the appellants and the respondents are asked to inspect the records and to put in their lists of papers which will be necessary for inclusion in the paper book. The lists are made and filed; the papers are picked up. The costs are estimated by the office. In these estimates all costs including estimating, translating, transcribing, examining, printing, editing and even taxing these costs are all shown and subsequently realised from the parties. As I have said, failure to pay the same results in the dismissal of the appeal. The question that now arises is when everything is paid by the parties, what is the necessity of maintaining a department in the shape of the Paper Book Department in the High Court at the cost of public revenue? There was a rumour that some of the Judges of the High Court maintained that it was unnecessary and, at any rate, when they did not require it, why should they ask the Government to help them with any money from the State revenue in the teeth of opposition from the public. It is a pity that the majority could not agree.

It is surprising to note that the budget estimates have been kept wonderfully vague in this department and nothing can be gathered about the actuals except what is said regarding office expenses and miscellaneous. It is a pity that the Finance Department with all their vigilance and keenness could not see through this. It even escaped the scrutiny of the Retrenchment Committee. But one understands that the amount is about Rs. 20,000 or more a year. I maintain that there is no justification to keep this on at such a high cost of public revenue.

The Registrar is the head of this office. Under him there is the Deputy Registrar. Next there are two Assistant Registrars, one of them can surely do the little bit of supervision work, if any were needed, over the work of those who are actually in charge of the same. Over and above this, there is an Assistant Registrar in charge of this Paper Book Department drawing a high pay. It is a pity that the conduct of the present incumbent was not found to be aboveboard as was explained a couple of years ago by the then Judicial Secretary.

I know that the Hon'ble Member in charge of the Judicial Department will say in reply that he does not know anything as it is all under the High Court, and the administration of the High Court is not under the control of the Local Government. This is one of the instances when one can properly say that he who pays for the piper must be given the right to call for the tune. I shall ask Mr. Henderson who is going as an Additional Judge of the High Court to make it a point to inquire for himself and when he comes back in July, he might take up the matter in all seriousness. But as indicated above, when the facts show that the department is unnecessary, the House can express its disapproval about its maintenance, although Government may say that they are helpless in the matter.

Sir, this is a matter which concerns everyone who has the misfortune to come up to the High Court with a faith in the administration of justice, and it affects all communities and all sections of this House. I would, therefore, request the whole House to vote solidly for this motion of mine.

Mr. NARENDRA KUMAR BASU: I rise to speak on this motion with rather mixed feelings. The difficulty is this, Sir, that lay members of this House really do not know what paper books are. At least most of them do not, and I hope they will continue to be ignorant unless they are concerned with litigation when they will have enough knowledge. These paper books are simply transcripts of the records of the lower courts with translations of the vernacular papers. As can be imagined, they are rendered necessary because most of the Judges do not understand the vernacular of the province and because there is some degree of untidiness in dealing with the original records from the courts below, and the High Court Judges are much too superior persons to touch dirty records which are probably crumbling away. As a matter of fact, the High Court in 1921 raised the costs of these paper books tremendously, and there was a great deal of agitation over it. Vakils, as they were then called—Advocates practising on the Appellate Side—sent a deputation to the Home Member of the Government of India, and thereafter there was a conference between the Judges of the High Court on the one hand and several Advocates on the other, and certain rules were

decided upon. In practice, Sir, about six or seven years later, it was found that these rules required revision. Then about four years ago —I am not perfectly certain about the year—a committee was appointed consisting of several Judges of the High Court and representatives of the Vakils and other branches of the profession and a representative of the Finance Department of the Government of Bengal, Mr. Gladding. This committee made certain recommendations, and the work of the Paper Book Department is being carried on at present in accordance with the rules framed on the basis of those recommendations. Just at the present moment I have been informed that the Judges have been thinking of making alterations in those rules, and yesterday afternoon in my capacity as President of the Bar Association I was informed that a note had been received from the High Court asking for the remarks and criticisms of advocates regarding the new rules proposed. A certain period of time has been given to the Association to formulate their remarks and criticisms and it is therefore rather difficult for me at the present moment either to support this motion of Mr. Mullick or to speak against it. But I do feel and believe that that feeling is shared by all sections of the community that have to use the High Court in various ways—I do feel that a great deal of public money is probably not being properly utilised; so far as the Paper Book Department is concerned, the work may very well be done by Advocates in certain cases and the work that is left, that is, supervision work, etc., may be done by the office. It is probably not necessary, therefore, to have a costly department to look into this matter. Of course, I do not know what the Hon'ble Member or his Secretary has got to say on this point and what instructions they have got from the High Court, but this is a matter which might very carefully be looked into both by the High Court and the Finance Department of the Government of Bengal.

Dr. NARESH CHANDRA SEN GUPTA: As Mr. Basu said, the rules with regard to the paper books are undergoing revision and the matter is under the consideration of the Judges, and this makes it difficult for us to offer any comments in this House. But at the same time the rules under consideration do not contemplate the abolition of the Paper Book Department. They contemplate the continuance of the Paper Book Department and the amendments suggested are amendments only with regard to matters of detail. I need not trouble the House with further details about the question which has been raised by Mr. Mullick. But I have one complaint to make against Mr. Mullick and that is that in connection with the Paper Book Department the only thing that he seems to have thought of is to secure relief to the public revenues by abolishing this costly department. But he has not brought in the question of the grievances of the litigant public in this connection. Mr. Mullick has explained the

system under which cases are conducted on the Appellate Side of the High Court. This House will perhaps remember that in regard to the Original Side of the High Court *ad valorem* court-fees are not paid for any suit but fees have to be paid for every little work done by the court or by the office. In the Appellate Side in the *mufassal* courts *ad valorem* court-fees are paid for every suit and every appeal. These court-fees you may take it are paid to distribute the cost of litigation not in accordance with the actual work done in every case, but by distributing it according to the value between the litigants of the province. Litigants on the Appellate Side, therefore, have to pay substantial sums, no matter whether the amount of work to be done is much or little. How much the litigants have to pay and what they get for it may be judged by reference to two sets of figures. If we look at the Red Book we will find that our receipts from court-fees even in this bad year are expected to be Rs. 2,36,00,000. *Ad valorem* court-fees and other court-fees are paid in connection with every piece of litigation and these fees are expected to bring in Rs. 2,36,00,000, but the total expenditure upon the administration of justice is only Rs. 77,00,000, that is to say, the litigants of the province pay for the whole of the work done for them three times over. Nevertheless, when in the High Court they want their appeals to be adjudicated upon, they are called upon to pay a further sum for every particular or special work to be done for them in the preparation of the paper book. I can understand the parties being made to pay for the preparation of the paper books on the Original Side where there is no *ad valorem* fee, but every litigant pays what is wanted for every bit of work done for him. While you are realising this enormous sum from the litigants what benefit are you giving them in exchange for this money by administering justice—I will not say by selling justice—at this prohibitive cost? Nevertheless, you make them pay much more than what they should pay or what they ought to have paid under a different system of preparation of paper book. No doubt, it will be said that it is an ancient custom which has come down from the past and the people have got accustomed to it, but I say that it is a system which has not got justice behind it. If these people have got accustomed or used to pay for the preparation of paper books in order to have the luxury of having their litigation decided by the High Court, there is no reason to increase their burden. There is no reason why the High Court should realise a larger sum of money over and above what they had been used to from the litigant public as fees. Therefore, the mere fact that the cost is little is no justification for increasing the burden on the public. My point is that the new rules for preparation of paper books has considerably added to the burden of the litigant public and this is a question which stands apart from the question of relieving the burden upon the public exchequer by abolishing the Paper Book Department.

Mr. A. C. R. HENDERSON: I find that Mr. Mullick has two motions in connection with the Paper Book Department, but he spoke on motion No. 404 only, and I do not know if he wants me to deal with his No. 412 at the same time.

Mr. MUKUNDA BEHARY MULLICK: No. 412 is an entirely different matter.

Mr. A. C. R. HENDERSON: Mr. Mullick is a prophet and has foretold with absolute accuracy what I shall have to say in reply to his motion. The Local Government has no control over the High Court in this matter, and it is really impossible for us to take any effective action. Mr. Narendra Kumar Basu has saved me a lot of trouble by giving some account of the various negotiations which were carried on regarding the preparation of the paper book. He has also explained what a paper book is. But I do not think it is true to say that the only reason for the preparation of paper books is that some of the Judges cannot read vernacular documents. I think one reason is that they find it extremely difficult to read the hand-writing of District Judges and even now I wonder if they can read my own! I understood Dr. Naresh Chandra Sen Gupta to oppose this motion on the ground that we realise so much money from the litigants that it would not be fair to place any more burden on their shoulders. He, therefore, objects to the suggestion of Mr. Mullick that the public revenues should be entirely relieved of this charge. I should be much obliged to be told that I have heard Dr. Sen Gupta correctly. Now I take it that he did so object. But in order to give effect to Mr. Mullick's proposal, we are in this difficulty: we cannot stop the printing of the paper books; we cannot decide how the work should be done and who is to control the work and who is to edit it and all that sort of thing; and again we cannot control the cost either. So that cost has got to be paid by somebody and if we do not contribute from the provincial revenues, as we do at present to the cost of the Paper Book Department, then the only result will be that the parties will be compelled to pay more for the paper books and the number of appeals that will be struck off will increase to an extent that I am quite sure Mr. Mullick will consider alarming; so I do not think that we can possibly object to paying a certain sum to make up the loss in the Paper Book Department. Mr. Narendra Kumar Basu was quite right when he said that the Hon'ble Judges of the High Court had this matter under their consideration, and it is very probable that the whole system will be re-organised at an early date. A Committee of Judges has gone into the question and made certain recommendations and those recommendations have now been sent to Mr. Basu as Chairman of the Bar Association for its opinion, and I think it is quite possible that in the near future there will be a change

and that the expenses now incurred on the Paper Book Department will be considerably less. I cannot put it higher than that; but I hope that that will be the result. As the matter is under investigation by the High Court, it is hoped Mr. Mullick will withdraw his motion.

The motion of Mr. Mukunda Behary Mullick was then, by leave of the House, withdrawn.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 1,28,600 under the head "24A—High Court" (page 133, Civil Estimate) be reduced by Rs. 100 (to call attention to the system of appointment of Subordinate Judicial Officers).

I ought to tell the non-lawyer members of the House that the Subordinate Judges in Bengal as well as in the neighbouring provinces are appointed under section 7 of the Civil Courts Act which says that the High Court shall nominate such person as it thinks fit to be a Munsif and the Local Government shall appoint him accordingly, that is to say, the High Court makes the recommendation and the Local Government has to accept that recommendation and appoint that person as Munsif. Sir, it is not unknown to members of the House that the administration of justice is really the bulwark on which the faith of the people in British administration rests, and the separation of the judicial and executive functions has been one of the main planks in the Indian National Congress platform from the very earliest times. It is admitted on all hands that judicial appointments should be kept out of the hands of the executive and that as much as possible judicial officers should be free from executive control and trammel. But, Sir, would it be believed that at the present moment the Local Government here has formulated proposals to have the appointment of Munsifs taken away from the High Court?

Sir, the Local Government in Bengal has formulated proposals to have the appointments of Munsifs taken away from the High Court, that is to say, to have section 7 of the Civil Courts Act amended, so that the appointment of Munsifs may be made by the Executive Government and not by the High Court. Sir, I warn the Local Government that the people of Bengal will not tolerate such an arrangement. If they have any faith in the honesty and fairness of the Civil Court Judges, it is due to the fact that they have not got to look upon the Executive Government for their appointments or for any favours. They are a perfectly free body and so far as their judicial work is concerned, it may be familiar to most of this House that the Privy Council has times without number commended the work of the Subordinate Judges who have been promoted from the rank of Munsifs.

I am afraid that if the power of appointment of Munsifs were to be taken away from the High Court, it would not be on account of the merits of the candidates that they would be appointed but on account of other considerations—perhaps kowtowing to the officer in charge at the moment and probably for falling in with certain peculiar views not only on judicial matters but on other matters also.

I submit, Sir, that the Government would be committing the gravest mistake if they were to take away this right of appointment of Munsifs from the High Court. Sir, if it is found that the number of Judges in the High Court is not enough to allow them time to make these appointments, I would submit that if a plebiscite were taken and if public opinion were really sought in the matter, it would be found to be unanimous that an addition should be made to the number of Judges if that were found necessary, but it would not agree to the taking away of the appointments to our judiciary from the High Court. Sir, I have heard it said that the High Court find it impossible to cope with judicial work, then why should it be saddled with administrative work. I shall not remark that it is really not the quantity of the work that matters always: it may be the quality of the worker. I am not going to say that. But I do say that if the High Court Judges find it difficult for want of time to make these appointments which their predecessors found time to do during the last 70 years, give them two or more Additional Judges: that would cause less grievance than if the appointments were to be made by the Government.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Sir, I am afraid I will have to oppose this motion. I do not see any logic in the speech just delivered by my friend Mr. Narendra Kumar Basu. When a Munsif is first appointed, he is entirely a dark horse and whether he is appointed by the High Court or by the Executive Government, it is not possible for the selecting authority to judge the judicial capacity of men who are appointed to the Judicial Department. Both the High Court and the Executive Government, in selecting a candidate for the appointment of a Munsif, can only look to his educational qualifications, to his law degree and his general capacity for work, and there is no reason to suppose that the Executive Government which makes all other appointments—much higher appointments—in the same way is likely to err in the matter. Mr. Basu would have been on firmer ground if he had contended that promotions to the higher appointments in the service, and not in making the initial appointments, should be made on the recommendation of the High Court and not on that of the Executive, because the High Court knows more about the work of the officer concerned and his merits. The High Court ought to be given preference over the Executive so far as promotions are concerned. But in the

case of initial appointment, I think it should rest with the Executive Government and not with the High Court who I do not think, are better judges of mankind than the Executive.

Mr. SYAMAPROSAD MOOKERJEE: Sir, I am not surprised at the opposition of Khan Bahadur Abdul Momin to this motion, because although he has retired and ceased to be a member of the Executive Service—I do not venture to call him "ex-Commissioner," Mr. Prentice will remember why I do not wish to call him so—he still has some love for the Executive Branch of the Government. (KHAN BAHADUR ABDUL MOMIN: "Because I know better than you.") The reason why I feel that these appointments should not be placed entirely under the control of the Executive is simply this: There is a general anxiety on the part of the public that the judiciary should be made as free of executive control as possible. That is the chief reason why we on this side of the House have heard with apprehension of the suggestion that a time may come when the present powers of the High Court might be transferred to the Government of Bengal. Of course, it is not possible for us to know what has been happening behind the scene. We have heard all sorts of rumours that proposals have already been placed before the High Court with regard to this question and that the High Court has given it as its opinion that the present system should not be interferred with. We yet hope that this will be the ultimate decision of the Government. If a proposal is made to take away the present powers of the High Court, one would naturally ask for reasons why such a change is proposed. A system which has worked for the last 70 years and worked, according even to Mr. Momin, without giving rise to any legitimate complaint, what justification is there to propose that this power should be taken away from the High Court? The mere chance that the future arrangements, if they are transferred to the Government of Bengal, might bring in happier results is a proposition with which we cannot find ourselves in agreement. It is on those who propose an alteration that the onus lies to show that if the present system is altered, it will actually lead to better results. To sum up, the public, even as matters stand at present, have greater confidence in the High Court than in the Executive Government.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I will only reply to one point and sit down. One of the reasons why the present system of judicial recruitment has failed is that unless one happens to be a relation of a judicial officer, he has absolutely no chance ordinarily, however qualified he may be, of being appointed in the Judicial Branch. (Question.) You may question, but that is a feeling with a good section of the public and that is the reason that for some time

past there has been a general demand that in order to give equal opportunities to the educated middle class, these appointments should rest with the Executive Government and not with the High Court. It is only fair that the relationship criterion should be done away with.

Dr. NARESH CHANDRA SEN GUPTA: The two Khan Bahadurs have spoken against this motion. Khan Bahadur Abdul Momin does not find any logic in the speech of Mr. Narendra Kumar Basu. I wonder if he has found any common sense in it. Well, he thinks that because at the time of appointment as Munsifs the candidates are more or less dark horses, therefore anybody—any man in the street—could make the appointments and take a chance as one does in the race course. Well, that is not the idea. Mr. Momin has himself been responsible for numerous appointments and perhaps he has acted on Selection Committees for appointments to public offices. But what will he think about appointing a person to the post of an Engineer by men who have had no idea of engineering. (KHAN BAHADUR MAULVI AZIZUL HAQUE: "They are the best men to judge.") I say they are not the best men, excuse me. In the same way, the judicial work, the legal work, is also a specialised work which requires specialists to judge whether a particular person is likely to be better for that specialised work than another person. (A VOICE: "Look at his face.") That sort of appointment of relations and friends is more to be found in the Executive than on the Judicial side. Looking at the face or looking at the pedigree or looking at relationship, as the other Khan Bahadur has referred to (Khan Kahadur Azizul Haque) is, I may say, not unknown in Writers' Buildings. It is more known in the Writers' Buildings than in the High Court. (Question.) Well, Sir, it stands to reason that a person who is responsible for carrying on the administration of justice of the province should be entitled to select the men who are to run that system. Now, the High Court is responsible for the administration of justice of the province and it is only fair and plain common sense—it may not be logic which will commend itself to Khan Bahadur Abdul Momin—that they should be responsible for the persons appointed to the Judicial Service. Suppose the appointments are made by the Secretariat, would you not hear the High Court Judges saying some day, when they were criticised for the poor quality of the administration of justice, "you gave us these instruments, they are not of our choice"? (KHAN BAHADUR ABDUL MOMIN: "District Judges are appointed by Writers' Buildings.") District Judges are not appointed by Writers' Buildings. I expected Khan Bahadur Abdul Momin, as a retired Executive Officer, would have greater knowledge of these things. No doubt the members of the Civil Service are appointed by Writers' Buildings. District Judges recruited from the Bar are not appointed by Mr. Prentice. You will

remember that when appointments are made Selection Committees are appointed on which High Court Judges sit as members. Well these are altogether irrelevant points.

Sir, I started with two propositions, firstly, that when you are making appointments to do expert work, it is only common sense that they should be selected by experts. In the second place, when you are appointing a person for doing a particular job, the man who is responsible for the job should be responsible for the appointment of that person. These are so familiar principles that I am surprised to find that any attempt should be made to get round this course. Khan Bahadur Azizul Haque has tried to make out the real reason why this thing is objected to. His information is that sons and relations of judicial officers are appointed. Khan Bahadur Azizul Haque is very much given to statistics and I should have thought he would bring forward some statistics to prove his insinuation. (KHAN BAHADUR AZIZUL HAQUE: "I want notice of that question.") He had plenty of notice. I should say it is certainly a matter which Government considers and which the High Court also considers, namely, that a person who is otherwise well qualified is also a relation of a retired officer. That is a circumstance, Sir, which is not overlooked either by the Government or the High Court. But at the same time, I know of many cases in which distinguished law graduates have been appointed to posts of Munsifs who have had absolutely nobody on earth to whom they could point as members of Government service. There are no exceptions. During the time of Justice Cuming, while in charge of this department, there was nothing like this. I know several of my old students, distinguished graduates, who were waiting for several years together trying to get appointments in any other departments, got into the Judicial Service without any difficulty and patronage whatsoever.

The Hon'ble Mr. W. D. R. PRENTICE: I am glad that this discussion has been raised, because I think there has been a tremendous lot of misapprehension about the whole question. I am sorry to differ from Dr. Naresh Chandra Sen Gupta, but most of his statements as to how officers are appointed were wrong. When the Government of India Act was passed, section 96B(2) gave the Secretary of State power to lay down certain rules, and he laid down rules for all provincial services, one of which is to the effect—I am quoting from memory—that no one shall be appointed to a provincial service unless by examination or on the nomination of a permanent Board of Selection or, if on pure nomination, with the previous sanction of the Governor General. Those were the rules for all provincial services, and Government were at once faced with this difficulty that there was one provincial service *viz.*, the Judicial branch of the Provincial Civil Service, to which these rules could not apply. The

question was which should apply—the old Civil Courts Act or the provisions of the new Government of India Act. That question arose about 8 years ago. It was discussed at great length with the aid of all our legal advisers, and Government decided finally to proceed on the lines that all members of provincial services should be appointed on the same basis, *i.e.*, accordance with the Secretary of State's rules and that was what led to the proposal for amending the Civil Courts Act. The proposal was postponed because of the coming constitutional changes, but the Government of Bengal made no secret of its intentions, because when the Simon Commission was here, one of the points that were raised about the position of the High Court was the dual control which has been referred to in connection with a previous resolution and another was this point about the members of a provincial service being appointed by a body which is not subordinate to the Local Government. In the process of the evolution of the constitution and the discussions connected therewith, this point has come more and more to the front. In a short time there will be provincial autonomy, but the appointment to one of your main provincial services will not be in your hands so long as the Civil Courts Act stands, and on this purely constitutional question Government had to consider what their attitude was going to be, and they repeated the recommendation which was made several years ago that the law should be changed so that the Provincial Government should have control over the appointments to its own provincial service. After all, I think, that is a principle from which many members of this House may differ in connection with this precise service, but which in other connections, I imagine they strongly approve.

Mr. Basu's speech seemed to me to be very confused. For he mixed up the original power of appointment with the subsequent power of control; after all these two things are entirely different. The only thing that this proposal of ours refers to is the selection of those who will become members of the Provincial Judicial Services. That is what the proposal deals with. At present they are not selected like members of the other provincial services by the Provincial Government either by examination or on the advice of a permanent Board of Selection. Should the method of appointment not be modified? That is the whole question at issue. There is no intention of interfering with the question of judicial discretion.

Mr. Basu in this connection referred to the question of the separation of the judicial and the executive. He must be much better acquainted with the literature on the subject than I am. But no proposal that the appointment and control of the Deputy and Sub-Deputy Magistrates should be taken away from the Local Government and given to the High Court, has even been put forward in any of the literature that I have seen. But leaving that question aside, this is

the position. If you have provincial autonomy, are you not going to have also the right of appointment to all your provincial services? That is the point at issue. As regards the method of selection, the proposals of the Government of Bengal would naturally be that the Selection Committee should include judicial experts. Dr. Naresh Chandra Sen Gupta referred in this connection to the selection of District Judges from the Bar. In that case we asked the High Court to nominate one or two members of the Selection Committee and the Committee was a purely judicial one. There is no intention of interfering with judicial discretion or freedom of the officers. But under the law as it stands at present, their selection is not in the hands of the Provincial Government, and when provincial autonomy comes, you will not have the control of all your provincial services. It is purely from this constitutional point of view that the Government have been dealing with this question.

The motion of Mr. Narendra Kumar Basu was then, by leave of the Council, withdrawn.

Haji BADI AHMED CHOWDHURY moved that the demand of Rs. 1,28,600 under the head "24A—High Court" be reduced by Rs. 40 (to raise a discussion as to the desirability of recruiting at a very early date at least 50 per cent. of the District and Sessions Judges in Bengal from the legal profession).

He addressed the Council in Bengali. A translation of his speech is as follows:—

"Sir, in bringing the motion for a cut of Rs. 40 from the demand of Rs. 1,28,600 under the head "High Court," I would like to propose that at least 50 per cent. of the District and Sessions Judges should be recruited from amongst the lawyers in Bengal. For, the trial carried out by Indian Civil Service officers who come to hold these posts from outside Bengal leaves much to be desired. In the first place, they cannot follow the depositions of the witnesses in Bengali and, secondly, most of the intricate title suits in Bengal elude their grasp. Considering all these circumstances, I think that at least half the number of the District and Sessions Judges should be recruited from amongst the members of the legal profession in Bengal.

I hope this motion of mine will be supported by all."

The Hon'ble Mr. W. D. R. PRENTICE: This question about appointing at least 50 per cent. of the District and Sessions Judges in Bengal from the legal profession impinges on the present constitution of the Judicial Service. Formerly most of the posts of District Judges were in the cadre of the Indian Civil Service, but at the time of the Lee Commission certain percentages were laid down for listed posts, and in accordance with those orders there were to be nine posts

of District Judges which were listed as open to the members of the Provincial Judicial Service and there were four open to members of the Bar. This allocation of appointments is not a matter, I think, which is within the powers of the Local Government. It is laid down for us by the Secretary of State, and those are the present conditions under which there are four posts allotted in the judicial cadre for members of the Bar. Those four posts have been filled up by members of the Bar and in accordance with the orders we have received the other nine posts have been filled up by members of the Provincial Service. That is all that we can do under the powers that we have.

The motion of Haji Badi Ahmed Chowdhury was then put and lost.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 1,28,600 under the head "24A—High Court" (page 133, Civil Estimate) be reduced by Rs. 100 (to call attention to the system of hearing of second appeals by junior Judges sitting singly).

Sir, for the information of the lay members of the House, I might say that second appeals are appeals brought to the High Court from the appellate decrees or orders of officers in the *mufassal*, that is to say, when a case is heard by a Munsif or a Subordinate Judge, in the case of a Munsif always and in the case of a Subordinate Judge sometimes, the appeal lies to the District Judge who hears it himself or makes it over to his Subordinate Judges, and from the decrees made by the Subordinate Judge or the District Judge there is an appeal to the High Court only in certain limited cases. I would like to impress that second appeals in civil cases to the High Court are not allowed on questions of fact but are limited to questions of law, and they form a vast majority of the work of the High Court as the Appellate Court. The Appellate Side of the High Court hears civil and criminal appeals as well as revision cases, which for present purposes may be left out of consideration, but the number of civil cases and the number of points of law emerging out of these civil cases is tremendous and most of the time of the Judges of the High Court is taken up in deciding these second appeals. For a number of years the second appeals were always heard by division benches consisting of two Judges. This was all the more necessary because as I have said important issues of law are involved in most of these cases and the decision of the Judges of the division bench in those cases was taken not only to decide the particular case before them, but as settling the judicial course of authority on that question and the decision of these Judges was taken as binding on all the other Judges not only of the High Court but also the subordinate courts. As the Members of the House are aware, the litigants, as shortly before pointed out by Dr. Sen Gupta, pay an enormous sum to the coffers of Government, a sum thrice in excess

of what is spent strictly for the purpose of litigation, and they are, therefore, I submit, entitled to the full value of their money. Several years ago there was a rule made by the Judges of the High Court that certain second appeals might be heard by a single Judge and not by several Judges sitting together. I need hardly remind the House that when an important question of law is being considered, it is always better to have the advice and the orders of two heads than one. However, there was that rule, but the rule was observed more in the breach than in the observance. As a matter of fact, single Judge benches, if I may so style them, or courts, were very rarely sitting in those days. The tide seemed to have turned about the year 1927. About that time, the power of the single Judges to decide cases was exercised more and more in the High Court. Well, in December, 1927, to be precise, on the 9th December, 1927, it seems that the Letters Patent of the High Court were amended. I must say that before that amendment, whenever a case was decided by a single Judge, there was an appeal allowed by the Letters Patent of the High Court to the High Court itself, that is to say, to a bench of two or three Judges, and you will not be surprised to hear that in very many of these cases decided by a single Judge, the decision of the single Judge was upset. What happened was that in December, 1927—I am sorry to use the word—steps were taken by somebody or some authority to have the Letters Patent amended clandestinely, and the first notice that people out here in India got was on the 14th January, 1928, when the amendment was published in the *Calcutta Gazette*. Here, in passing, I may say that the Letters Patent having been imprinted with the Royal Sign Manual of His Majesty were rightly treated as sacrosanct, and there was not much protestation against it. As members will remember, His Majesty's name was—if I may say so—very improperly dragged in, as was done in the case of the transfer of the capital from Calcutta, and it was sought to give a sacrosanct character to it. As I said, it was in January, 1928, this amendment of the Letters Patent was made known, disallowing an appeal as formerly from the decision of a single Judge of the High Court unless the Judge trying the case were to give a certificate that there might be an appeal. Well, Judges after all, even if they are High Court Judges, are human beings, and they are very chary of giving leave to appeal against their own judgments. It is also stated—I am not sure with what truth—that even in the High Court instructions may be given, and the instructions were to be as chary of giving leave to appeal as possible. However, up to that time, even though the rule was there, the number of cases heard by Judges sitting singly was exceedingly small. Moreover, though the rule had been there for about 20 years, and second appeals of the value up to Rs. 1,000 could be heard by single Judges, up to November, 1929, it was only cases of the value of below Rs. 50 that were heard by

single Judges. In November, 1929, suddenly it was discovered that the High Court had decided that there should be a larger number of Judges sitting singly and hearing cases of the value of Rs. 500 and downwards. I may mention to the members of the House that the total number of cases valued at Rs. 500 and below is about 80 per cent. of the second appeals heard by the Court. Therefore, the position is that since 1929 these second appeals which form the bulk of the work of the High Court, and which form the bulk of the gold mine out of which the administration makes so much, are being heard by single Judges. Sir, I shall not make any reflections upon any of the Judges of the High Court. It is neither within my competence to do so, nor is it my business to do so, but I must say that it is common knowledge that the calibre of the Judges of the High Court has gone down tremendously in recent years. I must not say that insidious attempts are made by the appointing authority to see that only fourth class men are appointed, but it does appear that the calibre of the men who are brought out to preside over the benches of the High Court or promoted from the Indian Civil Service has gone down considerably. It must be said that the Indian Civil Service men who go up to the High Court have very little experience generally of civil cases. They have to spend most of their time doing sessions cases and hearing one or two probate cases in the districts. They do not get opportunities of learning civil law, and to ask these men, as soon as they are appointed Judges of the High Court, to sit in appeal over cases tried by grey-haired Subordinate Judges who have heard the first appeal is, I submit, a mockery of justice. We know that very often the decisions of the benches of the High Court and even of the full benches of the High Court have been upset by the Privy Council when the High Court had upset in its turn the judgment of the Subordinate Judge. In cases, too numerous to mention, when the Subordinate Judge has been upset by the High Court, the Privy Council has upset the High Court reaffirming the decision of the Subordinate Judge. That the public should have any confidence in a man who was a District Judge or Barrister only the day before to sit in appeal over grey-haired Subordinate Judges and to upset their points of law is, I submit, straining the confidence of the people too much. Then so far as questions in the second appeals are concerned, most of them are questions regarding the Bengal Tenancy Act, and I am quite sure that nobody would accept that a Judge fresh from England or from the Original Side of the High Court or a member of the Indian Civil Service who is promoted to the High Court would be able to go through the intricacies of the Bengal Tenancy Act with which he had nothing to do during the whole course of his previous existence, either as a Lawyer or as a Judge.

Sir, the public confidence, as I have said, in these Judges who are appointed in this fashion is very low, and the system that was in vogue before, that every junior Judge had to sit by the side of a

senior Judge and to learn his work before he was allowed to deal with appeals from the *mufassal*, was, I submit, the proper system. The system of allowing these junior Judges to sit as the final court of appeal is, I submit, something which is absolutely unfair to the litigant public. I know that one of the reasons why this system was adopted was for the purpose of seeing that justice was not unduly delayed. But I am quite sure that the Hon'ble Mr. Prentice will support me when I say that by this system the delay in justice has not been avoided. What we have seen is the spectacle of Judges sitting for fifty or five hundred rupee cases for three or four days and then taking more than a day to deliver judgment; this is the sort of delay which takes place, and even if delay is obviated by this system, I can certainly remind the House that if justice is not delayed, but justice is rushed, then justice is in reality denied.

With these words, Sir, I commend my motion to the acceptance of the House.

Mr. A. C. R. HENDERSON: My friend, Mr. Basu, has more or less given the history which led to the change in procedure to which he objects. As a result of the recommendations of the Civil Justice Committee, the Letters Patent not only of this High Court but also of all the High Courts were amended so as to make it possible to introduce this change. I notice that he objects to appeals being heard by a junior Judge, but I am not quite sure whether he is technically correct. I understand a junior Judge to be a Judge of a composite bench and such an expression has no meaning, and is never used, when applied to a court presided over by one Judge only.

Mr. NARENDRA KUMAR BASU: As opposed to a senior Judge of the High Court, a man who has been a Judge for some time.

Mr. A. C. R. HENDERSON: Well, I am afraid that is a definition which does not take us very far, and it is impossible to say how many of the Judges are senior and how many are junior. At any rate, it is quite clear that this is a matter which must rest with His Lordship the Chief Justice, and it is for him to arrange which bench should preside over what court, and who is to preside over what bench. I do not know whether my friend Mr. Basu proposes that benches should be constituted by votes of this Council; but this is a matter with which we cannot interfere. It is for His Lordship to arrange who is to preside over any court.

Sir, I do not propose to go into the question whether the public have any confidence in the Judges. I do not think that is a matter which I ought to deal with, and I will merely deal with the reasons which led to this recommendation being made. After all there is a feeling shared by many people that there ought to be some end to litigation, and there

is al... ..... that in our present system the rich man has rather an unfair advantage over a poor man. Most of the Members of this Council must know of cases in which the poorer man had to give way simply because he could not afford to go on from court to court. Now, this procedure to which Mr. Basu objects is confined to five-hundred-rupee cases, and I ask the members of this Council whether it is really necessary that five-hundred-rupee cases should be taken into four courts.

Surely there should be some limit, and if there is a feeling that litigation should be cheap and speedy, then surely it is quite reasonable to take some steps to put a stop to the endless stages in deciding cases of this sort. I am aware of the fact that many of these five-hundred-rupee cases are not really five-hundred-rupee cases at all, because we know that to avoid payment of court-fees, the parties deliberately undervalue their cases. If they put a true valuation on the plaint and pay the proper court-fees, they will get their first appeal in the High Court itself. So, I submit, Sir, that this is a matter in which we cannot interfere and in which the Council would not desire to interfere. I, therefore, ask my friend to withdraw his motion.

The motion of Mr. Narendra Kumar Basu was then put and a division taken with the following result:—

AYES.

Raksh, Maulvi Syed Majid.
Banerji, Mr. P.
Banerjee, Babu Jitendralal.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Khan Bahadur Maulvi Allimuzzaman.
Chaudhuri, Maulvi Syed Osman Haider.
Chowdhury, Haji Badi Ahmed.
Chowdhury, Maulvi Abdul Ghani.
Ezurtji, Maulvi Nur Rahman Khan.
Fazlullah, Maulvi Muhammad.
Haque, Khan Bahadur Maulvi Azizul.
Hoque, Kazi Emdadul.
Hossain, Nawab Musharruf, Khan Bahadur.
Hossain, Maulvi Muhammad.
Kasem, Maulvi Abul.
Khan, Maulvi Tamizuddin.
Maiti, Mr. B.
Mittra, Babu Sarat Chandra.
Momin, Khan Bahadur Muhammad Abdul.
Mookerjee, Mr. Syamaprasad.
Mullick, Mr. Mohinda Behary.
Nandy, Maharaja Sris Chandra, of Kasimbazar.
Quasem, Maulvi Abul.
Rahoom, Mr. A.
Rahman, Maulvi Aziznr.
Raikat, Mr. Prosanna Deb.
Rai Mahasai, Maniadra Deb.
Ray, Babu Khetter Mohan.
Ray, Mr. Shanti Shekhareswar.
Ray Chowdhury, Babu Satish Chandra.
Rout, Babu Nocoal.
Roy, Babu Jitendra Nath.
Roy, Mr. Sarat Kumar.
Sahana, Babu Satya Kinkar.
Samad, Maulvi Abdus.
Sen, Rai Bahadur Jogesh Chandra.
Sen, Rai Sahib Akshoy Kumar.
Sen Gupta, Dr. Naresh Chandra.

NOES.

Afzal, Nawabzada Khwaja Muhammad, Khan Bahadur.
Armstrong, Mr. W. L.
Bai, Rai Sahib Sarat Chandra.
Bazir Uddin, Khan Sahib Maulvi Mohammed.
Blandy, Mr. E. N.
Cohen, Mr. D. J.
Cooper, Mr. G. G.
Dain, Mr. G. R.
Das, Rai Bahadur Kamini Kumar.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Gangali, Rai Bahadur Sasil Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkarim.
Gilchrist, Mr. R. N.
Gube, Mr. P. N.
Henderson, Mr. A. G. R.
Hogg, Mr. G. P.
Hooper, Mr. G. G.

Hussain, Maulvi Latafat.
Lockhart, Mr. A. R. E.
Maguire, Mr. L. T.
Miller, the Hon'ble Sir Provash Chunder.
Mortimer, Mr. H. R.
Nag, Reverend R. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Philpot, Mr. H. G. V.
Preston, the Hon'ble Mr. W. D. R.
Proctor, Lt.-Col. A. H.
Rahman, Mr. A. F. M. Abdur-.
Ray Chowdhury, Mr. K. C.
Reid, Mr. R. N.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Sarkar, Rai Sahib Rebati Mohan.
Sen, Mr. B. R.
Stapleton, Mr. H. E.
Steven, Mr. J. W. R.
Thompson, Mr. W. H.
Townend, Mr. H. P. V.
Wilkinson, Mr. H. R.
Woodhead, the Hon'ble Mr. J. A.
Wordsworth, Mr. W. C.

The Ayes being 40 and Noes 41, the motion was lost.

Mr. PRESIDENT: It means a narrow escape for me. (Laughter.)

Mr. A. R. E. LOCKHART: I beg to move that the demand of Rs. 1,28,600 under the head "24A—Administration of Justice—High Court" (page 133, Civil Estimate) be reduced by Rs. 100 (to discuss the inconveniences imposed upon juries and witnesses in the High Court).

I move this motion with considerable diffidence, firstly as to its utility because of the repeated remarks of Government that they are unable to control the actions of the High Court, and I am further diffident in the presence of the many legal luminaries who grace these benches and who probably will wonder at the temerity of one who is not of their fraternity daring to address the House on a question of administration of justice! Probably very soon the full enormity of my offence will dawn upon me, but I am encouraged nevertheless to speak on this motion because I am certain that I carry with me the support of that poor and unfortunate creature, the ordinary citizen, and of those unfortunates who suffer from the vagaries of justice and that offhand and highhanded attitude of the authorities responsible for calling High Court juries and witnesses. I have, I am afraid, no personal experience of being a witness in the High Court. I was, however, only just saved from wasting four good working days when I was called as a witness before a Special Tribunal. I was saved only by a certain independence of spirit which caused me to absent myself from court without leave for three days. Towards the end of the fourth day I was called; and, playing them at their own game, kept them waiting for 10 minutes. This is not confined to Special Tribunals only and from secondhand experience I have heard many terrible stories of witnesses having to spend hour after hour, wasting their time, sitting on a hard bench, waiting to be called as witnesses in their cases. Sir, justice must be thorough and I should be the last person to suggest that it should be otherwise, but it is undoubtedly the feeling of the ordinary man in the street that a great deal of his time is wasted. A man's livelihood and his time seems to be of little account beside legal quibbles which are brought in such a manner as to waste as much of his time as

possible. I also make bold to suggest that their Lordships and therefore the High Court machinery should start work a little sooner and finish a little later. A business office starts work at 10 a.m. and sits till 5-30 or even after that. Therefore, I cannot see any good reason why the High Court and the legal fraternity should not do likewise. An immense amount of time and therefore money would be saved thereby; the tax-payers' money would be saved and generally they would be in a position to reduce their staff consequent upon the extra work that would be put in.

As to juries and methods of calling them, at the present this is in the hands of a Crown officer. I do not mean to cast any aspersion on the work of the Crown officer in this connection because it is not his fault that he has not the machinery necessary to compile the list. He writes letters to people asking for particulars and upon them he makes up the jury list and he is extremely lucky if he gets any answer to his letters at all. Upon such a basis it is manifestly impossible to compile a proper jury list. For the two kinds, special and common jury, there are about 1,500 under the former head and from 6,000 to 7,000 under the second head, the qualifications for the first head being under a section of the Criminal Procedure Code which takes into account the property, character and reputation of the individual and those under the second head being mainly a knowledge of English. This means that for the 50 millions of Bengal, all the High Court jury work is done by less than 9,000 people. I maintain that there are many times this number who are in possession of the necessary qualifications for jury work.

As to the methods of calling a jury, one hundred names are ballotted for out of the list, who have to attend the court every day or on such days as the court will decide until they are wanted. Thus a specimen of the genus, busy business man—there are not many nowadays but we hope that shortly they will rise like a covey of Phoenixes from the ashes of the present depression—such a man may have to waste—possibly the word "waste" is a little unfair—to spend every day or every other day when the court is in session. Furthermore, unless he should have some special exemption as a result of the arduous nature of the jury work for which eventually he was called, he may have to serve as many as 15 sessions during his lifetime, whereas in England the jury list is compiled in such a way that a man is hardly ever called upon to act as a juror more than once in a lifetime. It is definitely essential that some change should be made. Now that the electoral rolls for the provincial and central legislatures are being remodelled, I suggest that they may be used as a basis for the jury lists of the future, and in any case I think the House will agree that a revision of the list is essential and that a little more care and consideration should be used in the calling of witnesses and in the handling of jurors than are at present accorded to them.

Mr. A. C. R. HENDERSON: Sir, may I congratulate Mr. Lockhart on the very excellent maiden speech which he has made in this House? But it is a matter of great regret to me that I shall not be able to give him much satisfaction. His motion assumes that trial by jury is a necessary part of our judicial system, and he does not want it to be abolished. Therefore, I assume that the advisability of having jury trials is not called in question. The moment you agree to this system of trial by jury, it becomes an important public duty of every citizen to do his share of the work by sitting as a juror. All the inconveniences referred to by Mr. Lockhart are due to the system of trial by jury itself. In order to have a proper system of trial by jury, it is necessary to see that the prosecuting authorities have nothing whatever to do with their selection, and the only way by which you can ensure that, is by having a system of ballot. It is further necessary to ensure that it is not possible for the Clerk of the Crown or anybody else to manœuvre the position so that he can arrange that a particular juryman is able to sit in a particular case, and that is why the jurymen are summoned not to try a particular case, but to try cases in a particular sessions. Therefore, it is impossible to avoid the inevitable inconvenience which members of the jury have to undergo in that respect. It is impossible for the Clerk of the Crown to say at the beginning of the sessions that the jurymen need not come back till they are called, as he cannot say when the next case will be taken up. But I am quite sure that as far as he can, he does his best to prevent any unavoidable inconvenience.

The other objection of Mr. Lockhart was that the courts might sit earlier and rise later. That will not be of much help to the jurymen. They would still not know on what dates they would have to come and so on. But I am afraid Mr. Lockhart has overlooked the unfortunate gentlemen who have to prosecute and defend the cases. It is all right for the Judge who comes to sit on the bench; but the counsel on both sides have to spend hours almost from sunrise to prepare their cases and they would not have time to do this. The cases would not be properly attended to and the actual trial of the cases would take longer than it does now.

The other objection was to the way in which the jury list is prepared. Well, I must say that I sympathise with him; because in a district where I was Judge, I found that the jury list was so out of date that many of the jurymen were either dead or had left the place. The Clerk of the Crown cannot be blamed for that. He calls for names from people concerned, but they do not reply. Surely the association Mr. Lockhart represents could give information to him of the persons who are liable to be called as jurors and thus do a public duty. So much for the jury.

The position with regard to witnesses is really much more difficult. Although it is possible to arrange the passage of the budget with the assistance of the guillotine, it is quite impossible to gullotine witnesses

and neither the Court nor the Counsel has the least idea as to how long a deposition will take. I am quite sure if Mr. Basu were to examine a frank faithful witness like Mr. Lockhart, he would finish in five minutes; but if he were to examine a witness like, say, Mr. Jitendralal Bannerjee, he might go on for days. But you cannot abolish witnesses. If they were abolished, the lawyers would have to go and join the unemployed. As long as witnesses are necessary for the administration of justice, it is quite impossible to say when a particular witness will be required to attend the court, and give his evidence. Here, again, the courts and Pleaders engaged arrange as far as possible to give witnesses a rough idea as to when their deposition will be taken. But I am afraid it is impossible for me to say more than that. I cannot promise that the inconveniences of the witnesses will be removed. It is inevitable in our administration. So I hope Mr. Lockhart will withdraw his motion.

The motion of Mr. Lockhart was then, by leave of the Council, withdrawn.

Haji BADI AHMED CHOWDHURY: Sir, I move that the demand of Rs. 1,28,600 under the head "24A—High Court" (page 133, Civil Estimate) be reduced by Rs. 4 (adjournment costs should be added in the decree).

He delivered a speech in Bengali in support of his motion of which the following is a translation:—

"Sir, in moving a cut of Rs. 4 from the demand of Rs. 1,28,600 under the head "High Court," I would like to say that in the court of a Subordinate Judge or a Munsif when a party prays for adjournment, the court orders it to pay adjournment costs to the other party. Now, the practice which is in vogue at present is to make this payment through the Pleaders engaged on behalf of the party concerned. But unfortunately in some of the cases this amount is not paid to the party concerned, and it is withheld by the Pleaders either on the pretext of subscriptions for their clubs or as the fee payable to them. Hence, the purpose for which the adjournment costs are ordered to be paid *viz.*, to compensate the loss sustained by the other party, is defeated.

I, therefore, suggest that adjournment costs may be added to or subtracted, as the case may be, from the amount decreed as costs, etc. I hope Government will accept this motion of mine and ask the High Court to take necessary steps.

Mr. A. C. R. HENDERSON: Sir, I am afraid that I am not of much use at understanding the Bengali language; but, as far as I could

gather, although this motion is for a cut in the demand under High Court, the Hon'ble Member's remarks were with regard to what was going on in *mufassal* courts. It is within the discretion of the court to do certain things and the court is supposed to exercise its discretion in certain ways. There are three possibilities. In the first instance the court may award no costs; in which case nothing more remains to be done. In the second place, the order for costs may be made what is known as a condition precedent. I understand that the Haji Sahib is a keen and experienced litigant, and he probably knows all about this matter. When one party wants to harass his opponents by taking adjournment after adjournment, the court sometimes passes an order making the costs a condition precedent for the adjournment, that is to say, if the amount is not paid in cash, the suit is dismissed. That is a very admirable system, and it does a good deal to curtail the unnecessary harassment of parties.

The third is the ordinary method by which one party is made liable to pay the costs of the other. When that is done, these costs are incorporated in the decree, and execution can be taken out just as in the case of the recovery of anything else. I do not know what the objection of the Haji Sahib is, and I hope he will withdraw the motion.

The motion was, by leave of the Council, withdrawn.

Mr. S. M. BOSE: I beg to move that the demand of Rs. 1,28,600 under the head "24A—High Court—(Voted)" (page 132, Civil Estimate) be reduced by Re. 1 (to discuss the question of fixed pay for Official Assignee, and of payment of his staff out of the unclaimed dividend fund).

The object of my motion is to raise the question of a fixed pay for the Official Assignee, who is remunerated by a commission which comes up to a very large amount.

The Administrator-General, like the Official Assignee, received a similar remuneration and not a fixed pay, but by legislation, a fixed salary with allowances to be fixed by the Governor General in Council was provided and all the fees prescribed by law were to be credited to the Government. But the Official Assignee, under Rule 178 of the Calcutta Insolvency Rules, is entitled to a commission. Under the rules he is entitled to fees and this has led to the extraordinary result that he gets more than a High Court Judge. I have been able to collect the figure for remuneration drawn by him for 10 years from 1920 to 1929. In 1922 his remuneration reached the figure Rs. 97,600 and the Calcutta High Court Retrenchment Committee, in their report of 1923, remarked that in 1922 the emoluments of this officer exceeded those

of any public servant in Bengal except His Excellency the Governor. I give below the figures for certain years:—

	Rs.
1921	50,200
1922	97,600
1923	90,550
1924	34,780
1925	52,125
1928	36,000
1929	63,062

The average yearly emoluments for ten years 1920-29 were over Rs. 54,700 or over Rs. 4,560 a month—higher than the pay of a High Court Judge. There is no reason whatever for this extraordinary remuneration. The Retrenchment Committee considered that a reasonable salary for this officer would be Rs. 1,800 to Rs. 2,000 a month. The salary of the Official Assignee and his staff which would then amount to, say, Rs. 72,000 would be paid out of the fees levied by him, any deficit being made up from the interest on the *unclaimed dividends fund*. This fund is very little known to the public. Under section 122 of the Presidency Town Insolvency Act, any dividend remaining unpaid for 15 years or such less period as may be prescribed shall be paid to the account of the Government of India unless the court otherwise directs. For some reason or other unclaimed dividends I believe (though I am by no means sure) have not been paid to the credit of the Government of India, but it is the fund out of the interest of which the establishment charges of the Official Assignee are paid. I believe the unclaimed dividends fund comes up to about Rs. 80 lakhs and that this fund is increasing owing to accumulation of interest and new insolvencies. I draw the attention of the Finance Member to this fund. I suggest that it should be utilised for the activities of the Transferred Departments. The first thing to be done is that legislation should be immediately passed providing a fixed salary for the Official Assignee. The High Court Retrenchment Committee suggested the necessity for legislation on the subject, and I do not understand why there has been such a great delay in this matter. I see no reason why the system suggested by them in paragraphs 52 and 53 of their report which would have meant considerable revenue to the Government should not have been adopted so long. I understand, however, that a Bill was drafted some time ago providing for a fixed salary for the Official Assignee. I see no reason why this Bill should not have been passed 10 years ago. Considerable loss to the public revenue has resulted from this delay, and the Government must be held responsible. As we have heard to-day the High Court is sacrosanct and we

cannot touch it. It is secluded from the light of publicity, and many possible retrenchments are not made because the High Court is set apart and beyond our control. It is under the direct administrative control of the Government of India, but its expenditure is met from the revenues of Bengal. So it is under a dual control and the local Government can exercise no effective check over its expenditure.

I, therefore, draw the attention of the Government, and specially of the Finance Member, to this source of revenue and ask them without any further delay to pass necessary legislation to fix the salary of the Official Assignee and to take over the unclaimed dividend fund for the benefit of the revenues of Bengal. This fund is beyond all question derived in Calcutta, is a Bengal revenue and so there should be no difficulty in getting hold of it.

Mr. NARENDRA KUMAR BASU: Sir, I rise to oppose this motion. I am surprised that an Advocate of the High Court of so many years' standing should be using the language that Mr. S. M. Bose used regarding the High Court. I am very sorry that he should of all people go for the High Court in a matter of this description. The remuneration of the Official Assignee is not fixed by the High Court. It is fixed by an Act and by certain rules made by the High Court under that Act. The mere fact that in certain years the Official Assignee got huge commissions because he had a very large number of estates in his charge and he could collect huge sums from the debtors of the insolvent firms certainly does not mean that he is being overpaid. If we were to come to recent years, so far as I have been able to gather, in 1930 the whole of the remuneration was not over Rs. 33,000. In 1931 it came down to Rs. 22,000 and in 1932 it was Rs. 28,000. If you are to have a salaried man, it is a very delicate and difficult question whether he would make as much effort to collect the assets of these debtors. I should, therefore, think that a move of this nature is ill-advised in the interest of the numerous creditors of the debtor firms.

Mr. A. C. R. HENDERSON: I can assure Mr. Bose that the Hon'ble the Finance Member would be willing to take any money wherever he can find it. He need not be anxious as Government are going to take action in this direction. It has already been decided that the Official Assignee and his staff should be made permanent Government servants; but it is still necessary that certain things should be done before effect is given to the scheme. The first thing to be done is to fix the pay to be given to the Official Assignee. That is a matter which is under discussion between the Government of India, the Government of Bengal and His Lordship the Chief Justice. So far as that goes we have now sent up our recommendations to the Government of India with the concurrence of His Lordship the Chief Justice. The second thing that is to be done is legislation. Without legislation it is impossible to give effect

to the scheme. This legislation is a highly technical matter, and it is very difficult for anybody, except the Judges and the officers of the High Court, to say what ought to be done. The High Court was good enough to give us the lines on which the Bill was to be drafted, and we had a Bill drafted. It is now pending with the Hon'ble Judges for their criticism; but it is still a matter for consideration whether the necessary legislation will have to be passed here or in the Central legislature. Speaking for myself, I feel very doubtful whether this Council would be competent to pass the necessary legislation. The third thing which is necessary is to find out exactly the position of this unclaimed dividend fund. Mr. Bose is not quite correct in what he put before the House. The unclaimed dividend account is money which belongs to the Official Assignee as trustee for the various creditors and neither Government nor anybody else has any claim on it whatsoever. At the end of 15 years any unclaimed dividend is transferred to Government; but still the court has power to pass orders for payments to be made to any creditor. Any dividend which has remained unclaimed for a year is transferred to what is known as the unclaimed dividend revenue account, and and then invested. That account earns interest and out of the interest earned the staff of the Official Assignee is paid. Now the position with regard to this fund is very different; the Official Assignee has no claim to it, and there is no reason why provision should not be made in the contemplated legislation for that money to be transferred to Government. But it is necessary for us to have both these funds examined by some expert accounts officer to enable us to see what is the exact sum in the two funds, and we have recently with the consent of His Lordship the Chief Justice asked the Accountant-General to be good enough to make an examination without further delay. When once these accumulated balances are transferred to Government, the unclaimed dividend fund will still continue to earn interest and the intention is that the interest should be used towards payment of the staff. But here, again, we have the figures of several years to be examined by an accounts officer. It is impossible for us to estimate whether that interest will be sufficient to pay for the staff or whether it will have to be supplemented by payment from our revenues. I can say that this matter has been pushed forward as much as possible and we are fully alive to the necessity of bringing the scheme to a successful conclusion.

The motion of Mr. S. M. Bose was then, by leave of the Council, withdrawn.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 12,000 under the head "24B—Law Officers—English Law Officers—Pay of Officers—Standing Counsel" (page 138, Civil Estimate) be reduced by Rs. 100 (to urge the necessity of amalgamating the posts of Standing Counsel and Government Advocate).

Sir, the post of Government Advocate was created only three or four years ago. Formerly the work of Government Advocate was divided between the Standing Counsel and the Public Prosecutor, and if this post be abolished, it can very well be managed by them even now. If the post of Government Advocate be amalgamated with that of the Standing Counsel, it can also be conducted by the latter alone. The work, I am told, is not so heavy as to require the services of two legal luminaries. In these days of dire economic distress it is desirable that all superfluities should go. If the work could be managed without a Government Advocate only three or four years ago, and as the number of cases are on the decrease, I do not find any reason why the work should not be managed by a reversion to the former arrangement. With these few words, I commend my motion to the acceptance of the House.

Mr. A. C. R. HENDERSON: Mr. President, Sir, I assume that Rai Mahasai means the Government Counsel. There is no such person as the Government Advocate. The position is this: The Standing Counsel is a senior Counsel and he cannot be expected to attend the sessions for days together on a low remuneration. I do not propose to give the Council a history of the circumstances which led to the present arrangement. I have no time to do that. I will only ask the members to accept my assurance that it would be impossible to combine the two posts. As my hon'ble friend the Hon'ble Mr. Prentice said the other day, you cannot keep economy and administration in two separate water-tight compartments. If you go to the market you must pay the market price. Only the other day I had to go to the market to get a senior Advocate to represent Government in an important case, and on the advice of the members of the department I requisitioned the services of Mr. N. K. Basu. Now I must admit that it would be impossible for me to get up in this Council and defend that action on the ground of economy; but at the same time it is quite easy for me to say that the price that was marked on his brief was by no means excessive for the service he rendered. If we required the present Standing Counsel to appear in all these cases, we should not get a man of the professional standing that we require. It is also no use proposing this motion at the present time because the present Standing Counsel under his agreement would be entitled to charge fees for all the cases in which the Government Counsel appears now and it would, therefore, cost us a huge sum of money to give effect to the Rai Mahasai's proposal.

The motion of Munindra Deb Rai Mahasai was then put and lost.

The total time allotted to the demand having been reached, all other motions failed.

The original demand that a sum of Rs. 77,71,000 be granted for expenditure under the head "24—Administration of Justice" was then put and agreed to.

The Hon'ble Sir PROVASH CHUNDER MITTER: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 48,50,000 be granted for expenditure under the head "25—Jails and Convict Settlements."

As the budget cuts cover many activities of the Jails Department and as members of this House and members of Government will have ample opportunities later of taking part in discussions on the specific points raised, I do not propose to go into further details at this stage. I formally move for the adoption of this grant.

Mr. P. BANERJI: I beg to move that the demand of Rs. 60,000 under the head "25A—Jails—Charges for Police Custody" be reduced by Rs. 100 (to raise a discussion about the treatment of prisoners).

Sir, I do not hesitate to say that prisoners under police custody are treated most inhumanly. It is an everyday occurrence that prisoners, when taken from one place to another, are mostly handcuffed, and also in most cases, particularly in the case of political prisoners, they are given iron bars and fetters or *dandaberis*.

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of order, Sir. Does that question arise in connection with this motion?

Mr. PRESIDENT: He is quite in order.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, may I put a question in this connection? Is it the information of the mover of this motion that in police custody bar fetters are used and also when they are taken from one place to another in police custody?

Mr. P. BANERJI: Unfortunately, Sir, the Member in charge of the Department is not aware of this fact. I shall just ask him——

The Hon'ble Sir PROVASH CHUNDER MITTER: I am just putting this question to ascertain what the mover's information is, and I shall make a suitable reply later on.

Mr. P. BANERJI: I shall first ask him whether he is prepared to deny that prisoners are taken in fetters and iron bars. If he does so, then I am quite prepared to give instance after instance, not one or

two, but hundreds of instances; I have got a book containing this information, but unfortunately I have left it behind. I thought this motion would come up to-morrow when I could quote from it and prove the correctness of my statement.

Sir, only recently, certain political prisoners in police custody were taken in iron fetters and *dandaberis* from Rajshahi station to another place. Can the Hon'ble Member-in-charge of Jails deny this statement? I know he cannot do that. Sir, when I make such references some members might rise on a point of order, or deny the fact, but I maintain and am prepared to prove before any impartial committee this state of affairs, though unfortunately the Member in charge of the Jails Department is not aware of these facts or is not prepared to admit the inhuman treatment of prisoners all over the country.

I shall refer to another instance and what happened there? We have heard of the Black Hole where the most inhuman treatment was meted out to 146 prisoners, although it has been proved that the whole story is nothing but fiction. I shall now refer to an incident which took place in the Bagerhat subdivision of Khulna where in a small room, which was not big enough even to contain 40 prisoners, 75 to 80 prisoners were kept. I would have cited Mr. Suk Lal Nag, the member from Khulna, but I am sorry not to find him here. He was an eye-witness of the matter and in the Jail Visitors' Book he put in a remark to that effect, but the department has not taken any notice of it. I do not know whether another real Black Hole incident took place in the Bagerhat Jail.

Sir, I can refer to hundreds of instances of inhuman treatment being meted out to political prisoners when taken outside the jails from one place to another. The only motive of Government that I can infer from this is that they want to disgrace these respectable members before the public.

Sir, they are not criminals in the real sense of the term, but they suffer at the hands of those who are in power only for the crime of their own political opinion. It is quite possible, Sir, that these very persons might also sit in judgment over those persons who to-day are treating them in this inhuman fashion. We have not to go far to see such things happening, and Sir, history is bound to repeat itself here also. Sir, in Ireland the political prisoners merely for the sake of their political opinion received such inhuman treatment at the hands of those that were in power, and what has happened there now? The man who was once a condemned criminal awaiting execution is to-day shaping the destiny of Ireland, and not that alone; the world has recognised him and he is presiding over the deliberations of the League of Nations—I mean De Valera. That is a position which is in support of my contention, and I should like to ask Government, that that should not be their policy

in their treatment towards these innocent people, people who are not criminals but suffer only for their political opinion, and their patriotism.

Sir, I can also cite instances where they are tortured, their heads and bones fractured. I shall give definite instances to the Hon'ble Mr. Prentice later on, but I must now confine myself to only——

Adjournment.

The Council was then adjourned till 3 p.m. on Wednesday the 22nd March, 1933, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Wednesday, the 22nd March, 1933, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 98 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Restoration of the 5 per cent. out in the salary of the ministerial officers of the Secretariat.

*72. **Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to state whether the benefit of the 5 per cent. restoration announced in the budget speech of the Hon'ble Finance Member will be shared also by the ministerial officers, the clerical staff and the assistants in the Secretariat of the Lower and the Upper Divisions?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Member be pleased to state what is the reason for this invidious distinction?

(*c*) Will the Hon'ble Member be pleased to state—

(*i*) what will be the total additional expenditure in 1933-34 if the benefit of the restoration of the 5 per cent. cut is conferred on the class of officers mentioned in question (*a*) above;

(*ii*) whether the Government have received any representation for restoration of the cut from officers mentioned in (*i*) above?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (*a*) Yes.

(*b*) Does not arise.

(*c*) (*i*) The information can be obtained from the budget estimates.

(*ii*) No.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state the reason for restoration of the 5 per cent. cut in spite of the fact that the finances of the province are in a very bad way?

The Hon'ble Mr. J. A. WOODHEAD: The reasons were stated in a communiqué which the Local Government issued shortly before the budget was presented.

Report of the Provincial Banking Enquiry Committee.

*73. **Rai Bahadur SATYENDRA KUMAR DAS:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state what action, if any, has been taken on the report of the Provincial Banking Enquiry Committee drawing attention to the unspent balance on the audit fees realised from Co-operative Societies amounting to Rs. 58,191 in 1926-27, Rs. 96,249 in 1927-28, and Rs. 1,00,528 in 1928-29?

(*b*) Is it a fact that the Indian Central Banking Enquiry Committee also accepted the contention that the Government of Bengal had paid inadequate attention to this subject, while money had been raised from the societies concerned but left unspent for diversion to other purposes?

(*c*) Is it a fact that some of the Central Banks in Bengal made serious objections to paying the audit fees in the year 1931 on the ground that huge amount realised from societies as audit fees was lying unspent in the Government Treasury?

(*d*) Will the Minister in charge be pleased to lay on the table a statement showing—

(*i*) the amounts of shares and deposits in the Bengal Provincial and Central Co-operative Banks in the Province;

(*ii*) the amount of shares and deposits at the credit of—

(*1*) Hindus,

(*2*) Mussalmans,

(*3*) Europeans; and

(*iii*) the number of employees—

(*1*) Hindus,

(*2*) Mussalmans,

(*3*) Europeans,

in these Banks?

MINISTER in charge of AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Nawab K. G. M. Farequi, Khan Bahadur): (*a*) and (*b*) The Bengal Provincial Banking Enquiry Committee recommended the strengthening of the auditing staff without further delay and the Indian Central Banking Enquiry Committee commended this to the consideration of Government. Before the receipt of this recommendation, this Government had decided early in 1930 that addition to the staff of auditors would be made automatically on the basis of the audit fees realised and the number of societies in existence from year to year, the provision for the additional staff being made direct in the departmental budget. In accordance with this decision, 60 additional auditors were appointed during 1929-30 and 53 additional auditors were allowed in 1930-31, thus bringing the total number of auditors up to the full strength required. A further additional staff of 18 auditors have been sanctioned in 1932-33 and they are being recruited now.

(*c*) Yes, but they withdrew their objection on the position in this respect being explained to them by the Registrar.

(*d*) (*i*) A statement is laid on the table.

(*ii*) and (*iii*) These figures are not readily available. Their collection will involve reference to the Provincial Co-operative Bank and 119 Central Co-operative Banks in the Province which will entail expenditure of much time and labour.

Statement referred to in the reply to starred question No. 73 (d) (i), showing the amounts of shares and deposits in the Bengal Provincial Co-operative Bank and the Central Banks in the province as on 30th June, 1932.

	Shares.	Deposits.		
		Individuals.	Societies.	Central Banks.
	Rs.	Rs.	Rs.	Rs.
Provincial Bank ..	16,53,275	1,35,27,127	12,69,834	29,83,401
Central Banks ..	53,55,365	2,78,70,554	7,15,797	1,20,39,891

Establishment of Land Mortgage Banks in Bengal.

***74. Mr. S. M. BOSE:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether the Government have been approached with a view to the establishment of Land Mortgage Banks in Bengal?

(*b*) Is it a fact that the Royal Commission on Agriculture have recommended the establishment of co-operative banks on the German model for the benefit of agriculturists?

(*c*) Is it a fact that the Central Banking Enquiry Committee support the above proposal and recommend the establishment of Land Mortgage Banks?

(*d*) Is it a fact that Sir Arthur Salter has endorsed the above recommendations?

(*e*) What steps are the Government contemplating taking for the early establishment of co-operative banks and of Land Mortgage Banks to help agriculturists and landholders?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: (*a*) The question of the establishment of Land Mortgage Banks on a co-operative basis has been engaging the attention of Government.

(*b*) The Royal Commission on Agriculture do not appear to have definitely recommended in their report the establishment of primary agricultural co-operative banks on the German model, but such banks are organised in this province on the German model which is popularly known as the Raiffeisen type.

(*c*) The Central Banking Enquiry Committee have recommended the establishment of Land Mortgage Banks on a co-operative basis.

(*d*) Government have no information.

(*e*) 21,529 primary agricultural co-operative societies are already working in this province. The Registrar of Co-operative Societies is now conducting a special investigation into the possibility of establishing Co-operative Land Mortgage Banks.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Reduction of munsifs' courts in Pirojpur subdivision.

65. Babu LALIT KUMAR BAL: (*a*) Is the Hon'ble Member in charge of the Judicial Department aware—

(*i*) that there were formerly three permanent and one additional munsifs' courts in Pirojpur subdivision in the district of Bakarganj;

(*ii*) that the number of such courts has been reduced to two at present;

(iii) that such reduction of courts has been naturally delaying the administration of justice and thus causing great inconvenience to the litigant public; and

(iv) that the number of cases in the civil courts of Pirojpur is in no way less than that of the civil courts of several other subdivisions where three permanent munsifs' courts have been retained?

(b) Are the Government considering the advisability of keeping three permanent munsifs' courts in the above subdivision?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (a) (i) and (ii) Yes.

(iii) No complaints have been received.

(iv) There are three subdivisions, in which there are three munsifs' courts.

(b) The third court will be restored when the state of the file justifies it.

DEMANDS FOR GRANT.

25—Jails and Convict Settlement.

Mr. P. BANERJI: Sir, last night while speaking about the treatment of prisoners, I mentioned that most inhuman treatment is meted out to them and I appealed to the Hon'ble Member to consider the question of a change of policy by Government in this matter. My submission was that generally in this unfortunate land of ours whenever a prisoner is taken into custody, before he is tried and convicted, he is treated as a criminal. That is my grievance and I may say that in no civilised country such things ever happen. I cited one or two instances yesterday for the Hon'ble Member's information. I can mention many more instances, but there is very little time at my disposal to do so. But if the Hon'ble Member assures the House that he will take into consideration all these instances, I may give him a hundred instances more.

Sir, I was referring yesterday to the little blackholes spread throughout the countryside. I was particularly referring to the Bagerhat Sub-jail. My hon'ble friend, Babu Suk Lal Nag, is present here and I am sure he will bear me out in whatever I say.

The Hon'ble Sir PROVASH CHUNDER MITTER: On a point of order, Sir. I think the mover should confine himself to the point at issue. The hon'ble mover has referred to the Bagerhat Sub-jail.

That should really come under motion No. 469 and that series. This motion refers to prisoners, while in police custody. About the police custody, I may mention that a member would be in order to raise a discussion, because the grant is shown under the Jail Budget. But the legitimate point may be raised on this ground whether it is too little or too much. I am not in charge of police and so the discussion about the treatment of prisoners, while in police custody whether it is inhuman or not may be raised under the head "Police". It would, therefore, be more appropriate to raise the point under the head "Police".

Mr. PRESIDENT: I had better clear the point which has been raised by the Hon'ble Member. His contention is that the motion we are discussing refers to charges for police custody of prisoners, but he is not in charge of police. Now when a man has been convicted, the Jail Department has nothing to do with him till he is actually put into jail. When the convicted person is being escorted from the court to the jail, he is absolutely under the police and any comments that one may desire to offer of the treatment accorded to that prisoner at that stage should come under the head "Police". But if any ill-treatment is accorded by police to a prisoner within the jail or when he is being transferred from one jail to another that may come under the demand that we are now discussing.

The Hon'ble Sir PROVASH CHUNDER MITTER: That is so, Sir, with this modification that this motion has got nothing to do with jail administration. That may come when we are discussing motion No. 469.

Mr. PRESIDENT: But this motion deals with a prisoner when in police custody and suppose certain things have been done to a prisoner in a jail or when he is being transferred from one jail to another under police custody. Why cannot such actions be criticised under the demand before the House?

The Hon'ble Sir PROVASH CHUNDER MITTER: Even then the Jail Department only provides money, and a member should confine himself to that point.

Mr. PRESIDENT: But this is not an economy cut. The basic reasons as given by the mover make it a token cut to raise a discussion on the treatment of prisoners.

The Hon'ble Sir PROVASH CHUNDER MITTER: If that question is to be raised, it should be raised under 469 and 470.

Mr. PRESIDENT: But what about the ruling I have just given, Sir Provash?

The Hon'ble Sir PROVASH CHUNDER MITTER: The mover refers to the treatment while in police custody and I am not in charge of police.

Mr. PRESIDENT: That does not matter. The charges for police custody come under the head "25A—Jails;" so the mover is in order to discuss cases of ill-treatment that may have been accorded to prisoners, in jails or while being transferred from one jail to another.

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes, subject to this—when they are escorted by jail officers. But if they are under police officers I have got nothing to do with that.

Mr. PRESIDENT: But it is not unnatural to presuppose that police officers when they take charge of prisoners receive or should receive instructions from the jail authorities, barring accidents or emergencies. It is, however, an anomaly that these charges should come under the head "Jails and Convict Settlements".

Mr. P. BANERJI: Sir, I leave that subject alone but I will refer to other points. I was referring yesterday to some of the prisoners who were being transferred from Rajshahi Jail to Dum Dum, from Faridpur to Dum Dum Jail and from the Central Jail to the Hijli Jail. Sir, these prisoners, while being so transferred, were not only roped but also handcuffed and even some of these civil disobedience prisoners were being taken in bar-fetters. I brought all these to the notice of the Hon'ble Member yesterday and I appeal to him not to have these men in bar-fetters, while being transferred from one jail to another. We hear that even in the Dum Dum Jail if a prisoner hesitates even for two minutes in obeying the orders of the Superintendent, he is punished with bar-fetters. I ask why this sort of inhuman treatment should be meted out to him. Is it for the purpose of humiliating and disgracing him? What I was pointing out yesterday was that there should be a change of policy so far as this business was concerned. The Hon'ble Member being an Indian himself we expect sympathy at his hands. I thought it my duty to bring these facts to the notice of the Hon'ble Member in charge but at the same time I am really ashamed of the fact that, although this department has been in charge of an Indian, and ever since he has been in charge, there have been no improvements in the treatment of prisoners; in fact it is in a worse position to-day. These prisoners, while being taken from one jail to another, suffer in a way no parrallel of which can be found in any other civilised country of the world and this I say with all the emphasis that I can command.

I may just mention another instance which has recently taken place. From the 12th of this month about 50 prisoners in the Hijli Jail have been on hunger strike——

The Hon'ble Sir PROVASH CHUNDER MITTER: May I ask the hon'ble member whether he said that about 50 prisoners were on hunger strike in the Hijli Jail?

Mr. P. BANERJI: I will leave that alone. So far as this motion is concerned I must point out that the demand of money under this head is not at all justified in view of the facts——

Mr. PRESIDENT: That question does not arise under your motion, because you have never indicated that your motion proposed an economic cut of a substantial character; but, so far as the treatment of prisoners within jails or while being transferred from one jail to another under police custody is concerned, you can certainly offer such criticism as you may think fit. I think that is what was at the back of your mind and should be behind a motion like yours.

Mr. P. BANERJI: Yes, Sir, and I may submit that the treatment accorded to these prisoners when in jail and when being escorted from one jail to another is most unsatisfactory. I would suggest that these prisoners instead of being sent from one jail to another under police custody may conveniently be sent in railway parcels (laughter). That will be in perfectly safe custody and the police officer at the receiving station may take charge of them. But after all, Sir, we are not here to talk lightly about the treatment meted out to these prisoners. There may be people who have no knowledge whatever about the treatment these prisoners receive at the hands of the police and it is not for them to treat this matter in a light-hearted spirit. Sir, I would appeal in all seriousness to those members to give their serious consideration to this question. With these words I commend my motion to the Council for its acceptance.

Babu JITENDRALAL BANNERJEE: Before the discussion proceeds further, may I have one point made clear? When a prisoner is being transferred from the court to the jail or from one jail to another, is he under the jail custody or the police custody?

The Hon'ble Sir PROVASH CHUNDER MITTER: That depends on whether the police officers are in charge or the jail officers are in charge. Very often the police officers are in charge.

Babu JITENDRALAL BANNERJEE: Do not the jail authorities requisition the services of police officers who escort them in the process of transit from one jail to another? Have the jail officers no control over them?

The Hon'ble Sir PROVASH CHUNDER MITTER: As I wanted to be cautious, I said it might be in some cases.

Mr. SHANTI SHEKHARESWAR RAY: Sir, the Hon'ble Sir Provash Chunder Mitter looks very worried, I do not know why.

Mr. PRESIDENT: He does not look like that.

Mr. SHANTI SHEKHARESWAR RAY: At least the repeated points of order gave me that impression.

Sir, this is a matter more for the Jails Department than the Police Department and so this grant is under "Jails and Convict Settlement". Mr. P. Banerji has rendered good service to the Government by bringing this matter to their notice. I would like the Government to realise what effect such ill-treatment has on public mind. Sir, I cannot perhaps give instances with all the wealth of details as has been given by Mr. P. Banerji, but I can refer to one instance which came to my notice quite recently while I was coming here from Malda the other day, when I noticed on the Rajshahi station platform an incident which gave me a great shock. I noticed a large number of *bhadralog* prisoners—undertrial prisoners being led in hand-cuffs, tied with rope and some of them with bar-fetters on.

The Hon'ble Sir PROVASH CHUNDER MITTER: Were they undertrial prisoners?

Mr. SHANTI SHEKHARESWAR RAY: Some of them were undertrial prisoners and they were being escorted from one jail to another.

The Hon'ble Sir PROVASH CHUNDER MITTER: Undertrial prisoners are not ordinarily transferred.

Mr. SHANTI SHEKHARESWAR RAY: Sir, let Sir Provash interrupt audibly if he wants to interrupt.

The Hon'ble Sir PROVASH CHUNDER MITTER: I was only answering a question of the President.

Mr. SHANTI SHEKHARESWAR RAY: At least the answer should be audible to the rest of the House. I am sorry that the Hon'ble Member has become so feeble. I do not want to pursue the point however. The real point is that these undertrial prisoners while they are being removed from one place to another should be subjected to such ill-treatment as would cause resentment in the mind of the public. I leave aside personal discomfort to which they may be subjected. But I would ask the Government to consider the point from a broader aspect. Apart from the question of bar-fetters and ropes, I saw they were crowded in a small compartment. There were about 25 to 30 men and most probably they had to sit up the whole night. Sir, at least these prisoners deserve sleeping accommodation when they are being removed from one place to another and I may point out, as I learnt from inquiry, that they were not being subjected to that treatment for that day only, but that they were removed on other dates of hearing from Rajshahi to Calcutta and from Calcutta to Rajshahi. Sir, what is the purpose of such repeated transfers from one jail to another?

Then, Sir, there is another point that I want to draw attention to and that point is in connection with the removal of prisoners or detenus from Bengal to places outside Bengal. Sir, no adequate provision is made for their food on their way from one place to another. This is very unfair. I hope, Sir——

The Hon'ble Sir PROVASH CHUNDER MITTER: On a point of order, Sir. Hon'ble members will find at page 155 that the item of Rs. 60,000 is on account of charges for police custody. There is another item of rupees one lakh which is for charges for removing prisoners by railway warrant. The item of rupees one lakh is for transferring prisoners from one jail to another when occasion arises. The charge of Rs. 60,000 is for payment of their diet money Re. 1 per head for first class prisoners and so on and certain other incidental charges. I may explain the nature of this demand. It does not concern undertrial prisoners. Indeed, only one in a thousand is transferred——

Mr. PRESIDENT: The point is this. The criticisms that are being levelled against the police treatment of prisoners must be with reference to the particular demand now before the House. It is essential to find out whether the source from which the expenses are being paid is the source that is being attacked. Mr. Ray should know that no attack can materialise unless it is based on this cardinal principle. He must be able to show that the authorities whom he is attacking are the authorities who are controlling the purse under review.

Mr. SHANTI SHEKHARESWAR RAY: I generally give my attention to these points. But the distinction is so very nice in this matter that it is very difficult to fix the responsibility. I may point out that you were kind enough to rule sometime ago that we could attack the Police Member on the Jail head and the Jail Member on the Police head, so I hope you will treat my remarks as admissible.

Mr. PRESIDENT: Order, order. This is a case of confusion worse confounded!

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, the arguments are of such a vague and general nature that it is difficult to meet them specifically and unless one meets arguments specifically, it is no use doing so. Without any disrespect to Mr. P. Banerji, I may say that nothing he has said really calls for a reply and the reason, Sir, is this. Under this particular head this demand of Rs. 60,000 is for certain classes of expenditure which have nothing to do with the transfer of undertrials, as undertrials are seldom transferred. It may happen occasionally; if a man is required to be tried in two courts it may be necessary to transfer such a prisoner. But an undertrial is usually kept in the place where he is being tried. Therefore this demand of Rs. 60,000 has little to do with transfer of undertrials in jail custody.

Mr. R. MAITI: Does it include the charges for convicts?

The Hon'ble Sir PROVASH CHUNDER MITTER: No. But this charge is a charge to meet expenses of police custody prisoners. Now, hon'ble members, at any rate those who are lawyers, will recall that under section 167 of the Criminal Procedure Code the following provision is made:—

"Whenever any person is arrested and detained in custody, and it appears that the investigation cannot be completed within the period of twenty-four hours fixed by section 61, and there are grounds for believing that the accusation or information is well-founded, the officer in charge of the police-station or the police officer making the investigation if he is not below the rank of sub-inspector shall forthwith transmit to the nearest Magistrate a copy of the entries in the diary hereinafter prescribed relating to the case, and shall at the same time forward the accused to such Magistrate."

Then clause (2) says:—

"The Magistrate to whom an accused person is forwarded under this section may, whether he has or has not jurisdiction to try the case, from time to time authorize the detention of the accused in such

custody as such Magistrate thinks fit, for a term not exceeding fifteen days in the whole."

Now, such Magistrate can send him to jail custody or to police lock-up. If he sends him to jail custody then he comes within the jurisdiction of jails and the jail officers are responsible for his treatment and so on. Then the Jail Code rules apply. But if, on the other hand, the Magistrate sends him to police lock-up, the jail officers have nothing to do with him. But the item appears in the Jail budget because the money is handed to the police officers and so on. Therefore Mr. P. Banerji and Mr. Shanti Shekhareswar Ray were perhaps under a misapprehension with regard to the points raised by them.

Now, Sir, the points raised by Mr. P. Banerji were of a very general nature. The general allegation is that prisoners in police custody are treated most inhumanly. If before this cut were moved Mr. Banerji had sent in particulars, then it would have been possible for the Jails Department to hand over those particulars to the Police Department, and although the Jails Department is not in charge of the police custody prisoners, arrangements could have been made to deal with those particulars. That was not done. Perhaps the object was to raise a general debate censuring or criticising the Government, whichever part of the Government may be concerned; but, Sir, the budget rules will not allow that.

Then, Sir, as regards Mr. Shanti Shekhareswar Ray's point that he saw some prisoners at Rajshahi or somewhere else.

Mr. SHANTI SHEKHARESWAR RAY: Not somewhere but on the Rajshahi station platform.

The Hon'ble Sir PROVASH CHUNDER MITTER: I thank my friend. I suppose the fact that they looked like *bhadralogs* appealed to his sentiment, but I do not know whether they were undertrial or convict prisoners. If he had enquired, perhaps he would have found that they were convict prisoners. Furthermore if he had inquired——

Mr. SHANTI SHEKHARESWAR RAY: On a point of personal explanation, Sir. I made an inquiry and found that they were undertrial prisoners of the Rajshahi conspiracy case.

The Hon'ble Sir PROVASH CHUNDER MITTER: If the hon'ble member makes a definite statement without notice I am not in a position either to affirm or deny it, but I appeal to the House to judge whether it would not have been fairer if notice of the specific

allegation, particularly an allegation with regard to a matter which is not within the purview of the Jails Department, were given earlier. In that case the Jails Department would certainly have passed it on to the relevant department to make an inquiry and that department would have been in a position to meet the allegation.

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir. Will the Hon'ble Member kindly stick to one line of argument?

Mr. PRESIDENT: That is not a point of order.

The Hon'ble Sir PROVASH CHUNDER MITTER: It may be that under certain conditions the prisoners had got to be handcuffed. It depends on the dangerous or non-dangerous nature of a prisoner, but I will not go into that point, because I have nothing to do with the Police Department. I submit that the allegation is such that the House should have no hesitation in rejecting this motion.

The motion of Mr. P. Banerji was then put and lost.

Mr. PRESIDENT: I think items Nos. 469, 470, 479, 487 and a part of 471 may be taken together and we can have one discussion on them.

Mr. R. MAITI: Sir, I beg to move that the demand of Rs. 9,25,000 under the head "Jails—Central Jails" be reduced by Rs. 100.

Sir, in moving this cut motion my object is to ventilate the grievances of the prisoners lodged in the central jails on the floor of this House and also to raise a discussion about the general policy of the Government in the administration of jails. In Bengal there are several central jails but I will mainly confine my remarks to the matters that have come to my knowledge as a non-official visitor of the Midnapore Central Jail.

Sir, the grievances of the prisoners I am going to speak about are not unknown to the House as they are being discussed every year on the floor of this House by several members having had personal knowledge of these things. May I ask whether the Government has ever cared to inquire into these grievances with a view to remedy them? I am sure every one of us on this side will say "No". Then, Sir, where lies the remedy? In order to make our voices effectively heard, we must all join our hands together and carry this motion to a successful issue.

Sir, the policy that is being followed by the Government with regard to the jail administration may be characterised as inhuman and barbarous. There can be no doubt that the original purpose with

which the jail system was introduced or created, was based on a very sound principle of reforming the character of the criminals. This was a very good idea indeed but the way in which this system is being administered now-a-days leads us to hold the contrary view and deserves condemnation. Sir, as soon as a man is convicted and sent to jail, he is never made to feel that it is a house for reformation of one's character. On entering the prison gate he is bound to feel that it is a place for inhuman torture where he has to pass his days with no peace in his mind. So long as he will be there, this horrible idea constantly works in his mind and makes his life all the more miserable and the result is that he comes out of the prison gate as a hardened criminal and never pauses for a moment to lead a reckless life in after years. There are plenty of instances in which it will be found that the jail life has made no impression upon them at all and they are anxious to become constant guests of the authorities—though unwelcome at all times.

Sir, whenever a person is convicted and sent to jail by the order of the court who tried him, he is at once taken into custody. From that very moment he is looked upon as one who is no better than a beast, however, high may be his social position in life. He is at once handcuffed and tied with a piece of rope round his waist and is made to walk all the distance through the public thoroughfares till he reaches the prison gate where he is to be lodged: As soon as he enters the jail gate, his position does not improve in the least—possibly it becomes much more worse. His troubles actually begin then. On his transference to jail he has to change his clothes and wear the jail kit which can hardly hide one's shame. Then again, he is subjected to a torturous search without having due regard to his sense of decency. This is not all, Sir, he has to pass his nights on a rough piece of blanket with no pillows to rest his head on and with no mosquito curtains to protect his body from mosquito bites. Then again, Sir, he is to live on unwholesome food supplied to him in jail, whereas he has to work hard for some 7 or 8 hours a day. Again, on the top of all this, there is the bad treatment of the jail staff at every step of his movement.

Now, Sir, with such a horrible experience of jail life which is ruinous both to one's body and mind, could any inmate of the jail feel for a moment that it is a place where one can have reformation of his character? Certainly not. But the Hon'ble Member will perhaps say that jail life cannot be a home life. I can very well understand that and no one expects that the prisoners should enjoy in jail all the comforts that he used to have at home. But after all, they are human beings and as such, they can certainly claim to be treated with kind consideration and due care for their health. Though, it is true, they have come there of their own accord, still the Government ought to realise that they have a grave responsibility in this matter.

Sir, I have so far described the general impression which a prisoner usually gets after coming to the jail for the first time. Now I will give you the particular instances in which the authorities of the jail took drastic steps against the prisoners by way of punishment for breach of some imaginary jail rules. Sir, during the last month there happened some incident in the Midnapore Central Jail over the question of sitting down in file. Division II political prisoners were so long exempted from sitting down in file for purposes of counting but recently under the new rule they were asked to sit down in file on the floor, to which they objected. They did not raise any objection to their being counted while sitting on their bedspread on their cot. All that they objected to was with regard to their sitting in file on the bare floor of the room. But that was too much for the authorities who insisted upon their sitting on the floor. I do not really understand why the prisoners were asked to observe this rule in a particular way when their purpose would have been served if the authorities had followed the suggestion of the prisoners but the authorities were over-zealous in enforcing this rule according to their own interpretation, or in other words, they wanted the prisoners to sit down in file on the bare floor, which they refused to do. All privileges were at once ordered to be withdrawn from them; their chairs, beds, tables, etc., removed; their interviews stopped. Then they refused to work which they had been doing so long. For refusing to work they were again subjected to various punishments, some of whom were made to work at the oil machine against their will and their hands were tied to the handle of the oil machine which was being pulled by two ordinary convicts and when they got tired and could not move along, some ordinary convicts were engaged to poke them from behind their backs. Nothing could be more inhuman than this. Then, Sir, there was another danger. These prisoners were tied to that portion of the handles where there was a solid mass of iron ballast weighing about 4 maunds and the mechanical arrangement was such that a little displacement of the ballast from its proper position would have immediately upset the whole thing and there was every danger of the legs of the tied prisoners being smashed while the two other ordinary convicts might have easily got away by merely removing themselves from the handle to which they were not tied. I was told that there happened once such an incident after which the Factory Manager in charge warned the authorities against tying the prisoners to the handle in such a position. But the authorities did not pay any heed to this.

Then again, Sir, when the division II prisoners were put to such tortures, the division III political prisoners also refused to work in sympathy with their brother prisoners. For such action on their part, they were also subjected to severe punishments. Some of them were

put on standing hand-cuffs for 6 hours a day. Some of them on bar-fetters. It may not be within the knowledge of the members of this House what the "standing hand-cuff" means. It is this:—One has to stand all those long hours with his hand-cuffed hands tied closely to a hook fixed on the wall at about a man's height. One can easily imagine how tiresome it is for a human being to stand in this fashion for such long hours at a stretch with an interval of an hour or so! In the course of my visits to the jail I had to witness all these sufferings with my own eyes. However, the matter ended amicably when on my suggestion the Superintendent agreed to put all the division II prisoners in 20 cells where no question of counting in that fashion will arise at all. Both sides agreed to this arrangement and the matter ended there. The Superintendent promised to withdraw all the bans and the prisoners all agreed to resume work. I have brought this instance to the notice of the House just to show how a little indiscretion on the part of the Superintendent brought about an appalling state of affairs. It is really beyond any one's comprehension how such severe punishments could have been inflicted for such a trifling matter. If there is actually any such rule, I see no harm in counting them while they were sitting on their beds. Sir, tactful handling of the situation could have at once saved many a trouble in jails. But it is the policy of the Government which is mainly responsible for all these serious happenings in jail. It seems to me, Sir, that the rule, if there is any, has been designed to humiliate and harass them only. The sooner this policy of the Government is abandoned, it is better for all parties concerned. It has got to be thoroughly changed if you are really anxious to reform the characters of the jail population. You cannot take shelter under the Jail Code. Sir, if one has to follow all the rules of the Jail Code so strictly, I am sure no prisoners could live a moment longer in jail. Either it has got to be amended or the rules are to be relaxed to a certain extent.

Sir, I could have given instances after instances like the one I have just stated, but I refrain from doing so as the time at my disposal is very short.

Sir, as regards the general complaints of the prisoners, one thing which struck me most was that the political and ordinary undertrial prisoners are kept together in one ward. Among the ordinary undertrials there are many persons accused of offences involving serious moral turpitude. Political prisoners—I mean civil disobedience prisoners—should not have been accommodated in their company as the offences of civil disobedience prisoners are of a technical nature and do not involve moral turpitude. This is also the case with the female prisoners. This policy will surely have a degenerating effect upon the civil disobedience prisoners—both male and female.

Sir, there is no arrangement for moral instruction in jails. There are plenty of political juvenile offenders but books are very seldom supplied to them for reading at night when they have nothing to do, though they are very much anxious to read books. Sir, so far as the division III political prisoners are concerned, they must be treated quite differently from the ordinary ones as they mostly belong to the *bhadralog* class. They used to have better quality of rice when they were allowed to cook themselves, but it is very recently that this privilege has been withdrawn and they have been placed in the same category with the ordinary ones. As regards the meat supplied to them it is only half a chittak every alternate day. That means one or two pieces of meat only for each meal, which is quite insufficient for a Bengali prisoner. If the number of meat days is reduced to two from four a week, they might have at least one chittack per each meal, which the prisoners like to have. But the authorities say that the Jail Code stands in the way. I see no reason why my suggestion could not be accepted as it will not exceed the quantity provided in the rules, but on the other hand there will be a great saving in respect of fuel, which, as every one knows, is generally required more in cooking meat dishes than any other.

Lastly, I will make one suggestion and conclude my remarks. It is with regard to the selection of non-official gentlemen as visitors of the jails. Besides the members of the Legislative Council some non-officials are selected as visitors who are either retired officers of the Government or who have a great leaning towards the Government. That being so, they cannot take a dispassionate view of things. Sir, it is an undeniable fact that much of the vagaries of the jail authorities will be surely removed in no time if the non-official members of the Board of Visitors constantly pay their visits to the jails. I, therefore, suggest that so far as the selection of non-official visitors other than the members of the Legislative Council is concerned the district board and the municipalities who are the real representatives of the people, should be asked to select them.

With these words I beg to commend my motion to the acceptance of the House.

MUNINDRA DEB RAI MAHASAI: Sir, I beg to move that the demand of Rs. 9,25,000 under the head "25A—Central Jails" be reduced by Rs. 100.

Sir, the object of my motion is to discuss grievances of prisoners specially civil disobedience prisoners. Sir, the inmates of the prisons of this province suffer under various disabilities. The troubles begin with the rising of the sun and do not terminate even with the setting of the sun. It continues throughout the night. Sir, there is a Bengali saying "তেলে জলে বাঙ্গালী" which means that oil and water are essential

for a Bengalee. But, Sir, the prisoners do neither get oil to rub over their bodies before bath nor do they get sufficient quantity of water for their use. This is the general complaint. To this my hon'ble friend Sir Provash might say that it is a matter of opinion—some use oil and some do not—and that regular supply is not considered necessary and that it is supplied only on medical grounds. But, Sir, as a Bengalee, I can speak with authority that oil is universally used before bath except perhaps by those who have adopted a European mode of life. The jails are under the supervision of adepts in Western Medical Science—West is West and East is East. Perhaps West may not require oil—its climatic conditions may not be suitable or the people are not habituated to its use. They may be ignorant of its medicinal value. But adepts of Ayurvedic Science attach great importance to its use by the people of the tropical climate of the East. May I ask, Sir, who is competent to give medical opinion as to the suitabilities of the use of oil—the Western Pharmacopœia or the Eastern Ayurveda. There may not be any cause of complaint about the scale of food provided for the prisoners. This is all good on paper. But ugly things go on behind the contracts. The stuff is not generally up to the mark. Moreover rice is stored in large quantities in damp rooms and get spoilt, the *dal* is invaded by insects and it becomes difficult to separate them. No other alternative is left to the prisoners than to unwillingly swallow these preparations to satisfy the pangs of hunger. The mosquito pest is another grievance. Their invasion from dusk till dawn is notorious in most of the jails. The mosquitoes not only disturb sleep but torment the poor prisoners by constant biting and sucking of the little blood which daily accumulates and runs through their veins. Will Sir Provash like Haroun-al Rashid of old, care to pass a night in one of his jails and enjoy the comforts of prison life provided by him for others? One night's experience is sure to bring about the required reforms. Formerly the inmates of prisons consisted of the scum and dregs of society—the murderers, the dacoits, the thieves, the highway robbers, the swindlers and such other pests of society. But now a large section of the inmates consist of educated members of respectable families. They are not criminals but have been incarcerated for technical offences or for wilful breaking of the law in pursuance of a movement set up for achieving political ends or for holding advanced political views. Great care and circumspection are necessary to deal with these classes of prisoners. These prisoners have been classified into 3 divisions or divisions I, II and III. In some instances they have been classified arbitrarily without due consideration to their previous status in life. I and II division prisoners are treated more humanely than the division III prisoners. A large number of the latter are huddled together in a hall. They are not given any bedstead. Raised mud platforms serve the purpose of bedstead. They are not allowed to use mosquito curtains or even a hand *punkha* to drive out mosquitoes.

This is the most cruel of punishments. Mosquitoes abound in almost all the jails—the sting of mosquitoes and its after effect are most injurious to health. They cannot have good sleep with mosquitoes humming around them biting all the time. The luxury of an half anna *punkha* is denied to them. About the coarseness of the food supplied to them the less said the better. Upcountry warders lord over them as if they are ordinary criminals. "*Sirkar salam*" is another humiliating performance to which they are sometimes subjected. They being literate, naturally want to read books and periodicals but they seldom get these advantages. In Hooghly District Jail, there is no provision for books. Intellectual starvation is another form of punishment for educated men. You may have your justification for detaining persons who have joined the civil disobedience movement, but there cannot be any justification for not treating them as gentlemen. Discipline may be necessary but it should not be too rigid. I know of instances when some civil disobedience prisoners were compelled to work the *ghani* which is ordinarily done in this country by bullocks. I enquired of the jailor and he admitted that he ordered it for the enforcement of discipline. This sort of inhuman treatment cannot enhance the reputation of Government. It rather helps to increase discontent and make youngsters more defiant of authority. By conciliatory and humane treatment you can turn them into friends but if you treat them like beasts you make them your worst enemies which is not at all desirable in the best interests of the country. Pray treat them like gentlemen's sons in a more generous way, look into their comforts and conveniences as far as practicable and you will find most of them to be your best friends and peaceful citizens after their release. They are not all bad men after all. You may call them idealists or blind followers of a great leader, but they are after all educated and cultured men and deserve better treatment. I hope my appeal to the Hon'ble Member in charge will not go in vain. In this connection I should like to refer to an incident which happened in the Hijli Special Jail very recently. This is what happened. On 11th March last at about 8 p.m. 9 or 10 civil disobedience prisoners, division III, of ward No. 11 were engaged in offering their evening prayers when the *jamadar* and warder interfered and the prayer was stopped. In the meantime Deputy Jailor Rasul came there and at the instance of the *jamadar* ordered *dandaberi*, i.e., handcuff and bar-fetters for the prisoners and the sepoys tried to compel them to submit to that indignity. But the jailor intervened. He made the prisoners promise not to say prayers in future. On the morning of the 13th the aforesaid prisoners and other detenus were called to the gate and were ordered to put on gunny cloth. Some carried out the orders, the others objected. Excepting the 12 who complied with the order, 20 were sent to the ward stark naked. On the 14th the naked prisoners were sent to cells. On the following evening at about 9 p.m. the sepoys used force in compelling

them to put on gunny cloth and since the 15th instant 50 detenus are on hunger strike in the Hijli Special Jail. I can name some of them—Dulal Chandra Dutt, Arun Chandra Banarjee, Radhika Prosad Banarji, Mon Mohan Roy, Ashu Malakar, Anish Mukherji, Shymapada Chakravarty, Sriram Dubey, Indrajit Singh, Rup Singh, Narain Singh, Mithai Lal, Rama Ram, Sital Routh, Kristo Ghose, Prafulla Mondal, Uday Narain Misra, Ganesh Pal, Jiban Basu, Lalit Das, Upendra Sen, Manindra Nath Biswas, Mukunda Lal Chakravarty, Jagadish Chandra Chakravarti, Profulla Chandra Sen and others.

Sir, this sort of inhuman treatment can serve no useful purpose. On the contrary it engenders bitter hatred towards the authorities. I hope the Hon'ble Member will be pleased to inquire into the allegations and get matters right so that such incidents may not recur in future.

If the Jail Code is responsible for this deplorable state of things throw it to the waste paper basket, and have it substituted by a better, more humane and a more civilized code.

With these few words I commend my motion to the acceptance of the House.

Maulvi HASSAN ALI: What about my motion No. 472?

Mr. PRESIDENT: I may remind you that I announced that motions Nos. 469, 470, 479 and 487 would be discussed together.

Kazi EMDADUL HOQUE: I beg to move that the demand of Rs. 48,50,000 under the head "25—Jails and Convict Settlements" be reduced by Re. 1 (to criticise the Government policy in the matter of the supply of food, raincoat, mosquito curtain and other necessaries to the political prisoners).

Sir, much has been said by the previous speakers on this subject and there is yet plenty to say on it. But since I must confine my remarks to the subject matter of my motion I hope the Hon'ble Member will kindly take note of what I say and try to redress the grievances as early as possible. Sir, there are two kinds of prisoners living in jails, one undergoing rigorous imprisonment and the other simple imprisonment. It is naturally expected that prisoners undergoing rigorous imprisonment should require more food than those who have very little work to do in the jails. But the ration prescribed for prisoners of both classes is the same. Prisoners undergoing simple imprisonment get the same quantity of food as prisoners undergoing rigorous imprisonment. It is certainly not just and proper on the part of the authorities to do so. Prisoners also suffer from other inconveniences. They require a *badna* or *lota* for washing purposes in the latrine, but usually they have only a shallow utensil which is like a frying pan for that purpose, and this is used for drinking purposes as

well. In the district jails, a few mugs are provided for the purpose, but in the subdivisional jails no such thing is given to the prisoners; here they have to take to the latrine the same shallow utensil from which they are to take their food and drink.

Then, Sir, mosquito curtains are also denied to prisoners in jails. It may be argued from the Treasury Benches that most of the prisoners are not used to them at home. So it is, but they are accustomed to something else to save themselves from mosquito bites, and that is they take a quantity of straw, set fire to it and get up a smoke and use it to drive out mosquitoes, just as we do in our cowsheds. The burning of straw for this purpose will not be permitted in jails, and therefore it is necessary that the prisoners should be supplied with mosquito curtains. Of course their skins are as sensitive as the skins of any of the gentlemen here, and if we cannot do without mosquito curtains, then why should not these curtains be given to them. Mosquito curtains are also necessary to prevent them from being attacked with malaria; it is said that *anopheles* are the sources of malaria. If that doctrine has not been exploded as yet, then it is in the fitness of things that mosquito curtains should be provided without delay. We heard on another occasion from the Hon'ble Member in charge of the Department that mosquito curtains do not save the prisoners from malarial attacks, and he said that he introduced mosquito curtains in 3 jails with the consequent result that in all the three jails malaria attack became more virulent. There was an increase of malaria in these jails. This was a very curious thing to hear from the Hon'ble Member, but the Hon'ble Members are in the habit of giving such information for our curiosity. I remember that some time ago, a circular was issued by the Local Self-Government Department to the local bodies in the *mufassal* in which it was said that jute-steeped water was not unwholesome, but it was very nourishing. That was the opinion of no less a person than Dr. Bentley. It was he who pointed out that this water was not only unwholesome, but it was most invigorating. I think the Hon'ble Member will not be in a position to deny that such a circular was issued to local bodies in the *mufassal*. I do not know whether the Hon'ble Member will repeat the same argument that mosquito curtains will not save prisoners from being attacked with malaria, because wherever mosquito curtains are introduced malaria prevails with much more acuteness. But until and unless the theory is exploded that mosquitoes carry the germs of malaria, this explanation will not hold good. So I humbly request the Hon'ble Member in charge to take note of the opinions of this House and try to provide for the little amenities of life that can be had in the jails for those unfortunate creatures who have been placed under his care. With these few words I commend my motion to the acceptance of the House.

(The Council was then adjourned for 15 minutes for prayer.)

(After adjournment.)

Mr. PRESIDENT: I may tell the House that motions Nos. 469, 470, and 487 have been moved and are now open to discussion.

Babu JATINDRA NATH BASU: In the course of the discussion before this House on the present resolution one question has been brought out prominently, and that is the serious discomfort and danger to health to which prisoners are subjected by reason of their being given no mosquito nets or appliances to prevent mosquito bites at night. Sir, in this country mosquito nets have become almost a necessary accompaniment of people's lives. It might be that 70 or 80 years ago when the jail methods first came into operation in this country, there might not have been the same need for mosquito nets as at the present day, but at the present day even ordinary domestic servants and villagers and cultivators in the country parts, most of them, use mosquito nets. Sir, in the jails, many of the prisoners are sentenced to hard labour. They work hard during the day, and if they cannot have some snatches of sleep during night on account of mosquito bites, it becomes a kind of torture which should be prevented by Government. I know that the Hon'ble Member in charge of Jails when approached in connection with the supply of mosquito nets to the special jails at Dum Dum considered the question sympathetically. That was a locality in which there were inroads of mosquitoes to an extent which made it exceedingly difficult for the prisoners to sleep at night. I trust that the same sympathetic policy will be generally pursued, particularly in the country jails. The question of mosquito nets for policemen came up before the Council about 10 years ago, and those that were then members of the Council will remember that it was found that about a fourth or probably more of the police force in the country parts were out of action on account of mosquito bites, and there was a demand on behalf of Government for a grant for the supply of mosquito nets for policemen in the country parts. I think it is not asking too much to supply this human necessity to prisoners also and I [illegible] Government will sympathetically consider the proposal.

Maulvi ABUL KASEM: I have heard the speeches that have been delivered about the treatment of political prisoners in this House. At the very outset I must say that I agree entirely and fully with the speech of Mr. Basu with regard to the supply of mosquito curtains or some means scientific or otherwise which the Government may have of saving the people from mosquito bites. But whether it causes malaria or not is a different matter, but the bite itself and the [illegible] vexience caused by the bite is sufficient to cause people to complain

malaria and fall ill. And the fact that Government themselves came forward with a demand for the supply of mosquito curtains to constables and *chowkidars*, is proof positive that they are necessary.

As regards the other complaints, they were not only about prisoners in general but about political prisoners as well. In this respect I beg to submit for the consideration of the House that the proper thing for the members of the House would have been to bring the inconveniences to the notice of the local authorities and not to come here and ventilate them. Besides, so far as the members of the House are concerned, some of them are non-official visitors of their local jails and from that position they can bring pressure to bear on the jail authorities for the removal of those grievances Whether they have done so or not I am not aware. I can say that as a visitor of our jails, because unfortunately here I represent three different districts in this Presidency, as a non-official visitor, I had had occasion to go to some of these jails and whether my friends admit or not, I say that political prisoners are treated better and receive more comforts in the matter of food and other necessaries of life than they do at home. It cannot be denied that some of these political prisoners definitely try to make the lives of the jail authorities troublesome But the primary fact that has to be remembered is this: that if the lives of the political prisoners in jail had been as they have been painted by my friends, there would not have been such a craze among them to go to jail. Sir, political prisoners are not sent to jail against their wishes. It is the desire of these people to become cheap martyrs by visiting His Majesty's jails for a few months. That gives them an opportunity of becoming famous which years of public service cannot secure. (A VOICE: Why then don't you go to jail to become a martyr?) I do not care to be such a cheap martyr; I have got other records to show than that and getting it so cheap. A man may have served his country and countrymen for years together but if he has not been in jail for one of these political offences he has got no legs to stand upon! The mere fact that at election times photographs of the prisoners behind prison bars are shown carries great weight with the populace and that is an advantage which cannot be secured and was not secured by a man who devoted his whole life to the service of his countrymen, I mean the great Sir Surendra Nath Banerjea.

Mr. NARENDRA KUMAR BASU: Because his opponent had gone to jail.

Maulvi ABUL KASEM: Whatever it is, what I have got to say is that the ration allowed them is quite sufficient and what is more, they get more attention from the jail authorities. In the first place I would ask my friends to put their hands on their hearts and say if the jailors, deputy jailors and superintendents do not treat them with

respect; rightly or wrongly these people believe them to be great martyrs and therefore they treat them with reverence; and this is done in many cases. I am reminded that they received kind and reverential treatment because of fear also, but I do not know whether the fear portion plays the greatest part or not. I cannot see, Sir, why so much anxiety is shown on behalf of the political prisoners. I think that when in this House we make comments upon the administration we should do so with the sole purpose of bringing to notice the grievances and defects of the administration and not for the purpose of playing to the gallery. It has not served in any country and it will not serve here.

Neither do I think that this House should throw aspersions on public servants as is being done in this House not only on this occasion but on previous occasions as well, because those people have got no opportunity of defending themselves, and those who are here to defend them receive no previous notice in order to get themselves acquainted with all the facts and get prepared against the attack. I think those members of the House who want to throw aspersions on public servants should give a copy of the charges that they want to bring against Government servants a few days before the matter is discussed, so that Government may have an opportunity of studying the matter and getting information and explanations from local officers. If such charges are brought as they are done now, what happens? Government say, as the Hon'ble Sir Provash Chunder Mitter has said, that if they are taken by surprise they cannot answer. So, it is neither satisfactory from the point of view of Government nor from the point of view of the House. Rai Mahasai has suggested that Sir P. C. Mitter should visit in the garb of Haroun-al Raschid a jail and pass a night there and find out what inconveniences are suffered by the prisoners. I would however suggest to the Rai Mahasai that he himself should act on this advice and should like Haroun-al Raschid go and visit a jail in Bengal and see for himself what treatment these prisoners receive and have a conversation both with the jail staff and the political prisoners themselves. He would then be satisfied that the jail authorities are less guilty than they are supposed to be and that their friends the political prisoners are a great nuisance in the jail. Of course if you had brought forward a motion as to why so many people have been sent to jail that is a different matter. But to say that they are treated badly is an exaggeration and should be avoided at least in this House and should not be ventilated for the purpose of advertising or for playing to the gallery.

Mr. C. C. COOPER: I rise to endorse the remarks of the last speaker. I have had the privilege of representing this House as a jail visitor for many years and I can honestly say that to my personal

knowledge the allegations of bad treatment so far at least as the Presidency Jail is concerned are entirely false. It may be said that possibly when I go to visit a jail the authorities are waiting for me and they have everything keyed up. Even if it were so, the eye-wash is the easiest thing in this world to detect but such is not the case on my visits. I visit at odd times and on odd days and the jail authorities have no idea when I am coming. I have visited the Presidency Jail on several occasions this month. I merely state this in order to show that I take my duties as a jail visitor seriously. I take a personal interest in the work and the administration of the jails and in the prisoners generally. I do not look upon my appointment as a jail visitor as a sort of *namka waste* job. My interest in prison work was at first aroused by the late Colonel Simpson who was a dear friend of mine and under his expert guidance I learnt a great deal concerning prison administration. I think the House will agree that the late Colonel Simpson was a very able and very conscientious officer and by his death prisons and prisoners in Bengal have lost a true friend. He was fully alive to the humane aspect of his duties and his interest in prisoners was not of that careless indifference as is alleged against that class of people known as officials. It is my belief that his mantle has fallen generally speaking on the shoulders of the majority of prison authorities to-day. Our present Inspector-General is certainly an officer who thinks of all prisoners as human beings and treats them accordingly. In my opinion any official connected with any jail is a man much to be sympathised and commisserated with; be he a superintendent or be he a warder, he has a thankless horrible job to perform and for all practical purposes he is a prisoner himself. He has to spend most of his time behind the prison bars. Whenever I come away from a prison after a visit I am for the rest of the day a pessimist, I feel sad and disheartened but prisons are a necessary protection against those who offend against the canons of society and whether they offend from moral turpitude or for political purposes, society has to be protected against them.

So far as political prisoners are concerned they have nothing to complain about but with habitual offenders to see so much vice and wickedness cooped up together gives one a horrible feeling. The problem of how best to deal with these poor unfortunate degenerates is a problem which has engaged the best minds of all the world for many generations but I am afraid we are still as far off from a solution of this problem as ever we were. Criticisms such as we have heard to-day are, I think, quite ill founded, and they do not help us in any way towards solving the problem of prison reform. The first condition that is absolutely essential in any prison is discipline. In war or in peace a badly disciplined regiment is a bad regiment, so in a jail a badly disciplined jail is a bad jail. So far as I can gather all the criticisms we have heard to-day are directed against the enforcement

of discipline. To be kind to prisoners you have to be firm and an weakness in the handling of prisoners means unkindness to them, henc strict discipline must be maintained. The administration of the Pre sidency Jail is both firm and kind. Any one who has had any experi ence of the appalling lack of discipline which prevailed in jails a fe years ago knows what a trying and difficult position the various official of the jails were placed in, from superintendents to convict warders and I think they have not received that fair measure of praise whic is due to them for the manner in which they carried on their irksom task under such trying conditions. To-day discipline is better an because discipline is better, the treatment is better and the jails ar generally better.

So far as food is concerned, I give the most emphatic denial to th allegation that the prisoners are badly fed. That is not the case. Th food given is undoubtedly very good and the quality of the food i good also. I have eaten it myself and I do not think I have ever taste better rice and *dal*. The food which the prisoners get in the jails i very much superior to that to which they are accustomed in thei own homes. Some of these prisoners go to the prisons for the purpos of being well-fed. I happened to know a prisoner who has been in jai off and on for several years and I saw him again this week when I visited the jail. I said "hallo! why have you come back". He saic "because this is my home".

A lot of cheap sentiment and a whole lot of sob stuff for the prisoners have been expressed, but it would be of greater help if in this House practical propositions were made and not a series of allegations which for the most part have no sound foundation. Much can be done and much still remains to be done to improve the conditions in the prisons. But so far as the Presidency Jail is concerned, I can say that the ideal aimed at is to make conditions as decent as it is possible in the circumstances to make them.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, as the time at my disposal is very short, I shall begin by giving a general reply and then in the time that is left I shall try to deal with specific complaints.

Mr. P. BANERJI: On a point of information, Sir. After the Hon'ble Member has spoken shall we be entitled to speak on the motion?

Mr. PRESIDENT: Yes, if time is left.

The Hon'ble Sir PROVASH CHUNDER MITTER: The first point I would like the members of this House to remember is that the total jail population in Bengal is about 20,000 and of this total jail population those about whom some of the hon'ble members have spoken, namely those who have been described as political prisoners, are only a small portion. Now, if you have to deal with 20,000 prisoners of different

types and various kinds, it follows that you must proceed according to some definite rules. If you start by trying to have different treatment for different prisoners individually you will soon be placed in a position of difficulty. Then it is not only that you have these 20,000 prisoners, but there are a number of jails with quite a large number of warders and a fair number of deputy jailors, jailors and superintendents. Therefore definite rules and orders are very necessary. It is for that reason that observation of rules laid down in the Jail Code seems to be so desirable. Now, members of this House, at any rate those who have been members for some little time, will remember that about three or four years ago the Government of India, perhaps at the instance of some members of the Legislative Assembly, took up the question of revision of some of the provisions of the Jail Code, and particularly with regard to those provisions relating to classification, etc., which have practical application to those who are loosely described as political prisoners. About that time a conference was held at Delhi. But before that conference was held the Government of India desired that the different Local Governments should take the opinions of non-officials as also of officials dealing with the jail administration. At that time swarajists were in Council and the opinions of the non-officials were taken through the different superintendents of jails and magistrates, and through these officers the jail visitors were also consulted. As the members of the Legislative Council are non-official visitors of jails, the swarajists, who were then in Council, and others were also consulted and thus not only the opinions of the non-officials of this province were before this Government, but opinions of non-officials of other provinces were also before their respective provincial Governments; and all these opinions were placed before the Government of India.

Now, Sir, as a result of the discussions at Delhi orders were issued by the Government of India. These orders were duly published and as a result of these orders certain definite rules about treatment of prisoners were framed. It was directed that prisoners were to be divided into divisions I, II and III; under these rules political prisoners as such are not recognised. If the hon'ble members will take the trouble of reading these rules and I am sure some have done so—they will find that the rules are such that there is no reasonable ground for complaint either about classification or treatment of prisoners.

I would next like to touch on one or two points about which we received many complaints not only this year, but in previous years, one important ground of complaint being that political prisoners as such are not separately recognised. It is true that under the orders of the Government of India and our own Jail Code, we do not recognize political prisoners as a separate class with distinct rules. Indeed it will be difficult to lay down specific rules about political prisoners. One may

loosely describe a certain type of prisoners as political prisoners, but if you are to lay down definite rules, I think the members will again be faced with difficulties. I would ask those members who are keen about recognition of political prisoners as such to try to formulate definite rules. Whom would you call political prisoners? Would you call a terrorist a political prisoner—a terrorist who pretends that he is doing good to the country by throwing bombs and shooting with revolvers—or again one who commits an alleged political dacoity but uses the money for his personal gain, would you call him a political prisoner? Then, would you call a man who is a mere picketer and who goes before a liquor shop or a shop selling Manchester goods with folded hands, or a man who goes there to persuade shopkeepers not to sell certain kinds of goods and when his persuasion fails he becomes angry and throws brickbats or soda water bottles, would you call both or either of them a political prisoner? Such instances can be multiplied. Sir, no Jail Code can be worked unless you can be precise and definite. The opinion of the Government of India and the Local Governments is that it is not possible to define or to recognise political prisoners as such. But we do recognise classification, such as divisions I, II and III. By such recognition the purpose of friends of political prisoners is served to a large extent. Those who criticise the Government of India and the Local Government about non-recognition of political prisoners might try among themselves to frame precise rules. I have mentioned only one or two points by way of illustration. But I am sure they will themselves find many points which make it extremely difficult to define political prisoners as such. Sir, I am referring to this because I know year after year there is a great deal of criticism about the treatment of political prisoners not being according to the ideas of some members of this House and not being what they consider to be suitable. But I would appeal to the members of this House, and I am sure that many of them are fair-minded, that they should take into consideration the fact that once a man is convicted and passes through the portals of the prisons, would it be right to treat one kind of prisoners differently from another? Those of you who speak about democracy, those of you who speak of equal rights for everybody, would you at the same time and in the same breath say that because a man is a *bhadralok*, because a man, according to his own light tried to serve his country, you will treat him in a different way from another man who may be convicted of an offence—let me say an offence involving moral turpitude. The friends of political prisoners are supposed to have faith in democracy, others may not have.

Sir, I can understand certain kinds of differential treatment, that is division of prisoners into classes I and II. But if you try some other method you will at once find yourselves in difficulty.

Sir, although my time is very short, I am trying to make this point clear, because at the back of most criticisms is the feeling that political

prisoners should be treated with extra leniency. I am trying to point out the difficulties. But I would like to point out that in a matter like jail administration, there must be some general uniformity throughout India. There may be variation in local conditions and so there may be variation in detail in different provinces; but there must be some general standard of uniformity throughout India. Therefore technically you can no doubt take up the question of political prisoners in this Council. But if you want to take it up effectively you must ultimately take it up with the Government of India and not only that—you must formulate something definite—so that a precise and specific definition can be embodied in the Jail Code.

Then, Sir, other criticisms have been made about the Jail Code. I submit, Sir, that if the prison authorities are allowed to administer the Jail Code in the normal way, they are quite all right. But there have been cases where the prison authorities were forced to apply some of the drastic provisions of the Jail Code which it is intended should be kept in the background—and why? The reason is that some people who for political reasons have sought imprisonment have in pursuit of their ideas on the subject tried to make the jail administration difficult.

Mr. NARENDRA KUMAR BASU: What about the horrible details given by the Rai Mahasai?

The Hon'ble Sir PROVASH CHUNDER MITTER: I am coming to them. Now, Sir, the Jail Code, under normal conditions, provides, for every good treatment. But if there is a definite breach of discipline it must be stopped and punishment by progressive stages is given to any prisoner for breach of discipline. Mild punishments are at first given but if they do not suffice then more drastic punishments have to be given.

Before I come to the question of punishment I would like very shortly to refer to some of the most salient features of the Jail Code. Take the division I prisoners: about their accommodation the provision is that whenever possible they shall be allotted cells and except when imposed as a jail punishment, their imprisonment shall in no case involve anything in the nature of separate confinement. Regarding furniture and equipment, the cells allotted to division I prisoners shall contain as their normal equipment a chair and a table; a light for use at night until 10 p.m.; aluminium food utensils; an iron cot; a thin mattress, two pillows, 2 sheets, four pillow cases, one or two blankets as may be required, a mosquito net, etc., etc.——

Mr. NARENDRA KUMAR BASU: That can be taken as read.

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes, it can be taken as read, but if I place before you the salient features, you will find that the accommodation, food and treatment in jail are not bad. Then about division II prisoners. They shall be given cellular accommodation, if available, under the same conditions as prisoners in division I, but otherwise association within the class at the discretion of the Superintendent. They shall be provided with a thin mattress, one pillow, two bed-sheets, two pillow cases, and a mosquito net in addition to ordinary jail bedding. They shall also be given one chair, a small table, or shelf, and light in their cells or wards until 10 p.m. Therefore, you will find that accommodation and other arrangements for division I or division II prisoners are quite compatible with a reasonable degree of comfort.

As regards food, I will read only some portion from the Jail Code.

For early morning meal—

	Chittaks.
Bread	... 2
Sugar	... 1
Butter	... 3/8
Tea ...	... ¼
Milk	... 1

For other meals—

	Chittaks.
Fine rice	... 8
Dal	... 2
Vegetables	... 4
Potatoes	... 2
Meat or fish or eggs (or milk—6 ch.)	... 2

Then take division III prisoners—their food.

I will only give you figures about rice, vegetables, etc.

For early morning meal—

	Chittaks.
Rice	... 2
Salt	... 7/16

	Chittaks.
For other meals—	
Rice	10
Dal	2½
Vegetables	4
Oil	5/16

and so on, in addition to fish on certain days.

Health reports show that the health of the prisoners of all the three classes is fairly satisfactory.

With regard to the specific allegation that Mr. Maiti referred to in connection with certain incidents in the Midnapore Jail, I should like to point out that Mr. Maiti knows very well the root cause of that incident. It was a mutiny on a small scale——

(The time-limit on the demand having been reached, the Hon'ble Member resumed his seat.)

The motion of Mr. R. Maiti was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Bakth, Maulvi Syed Majid.
Banerji, Mr. P.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Rishori Mohan.
Choudhury, Maulvi Nural Absar.
Faziullah, Maulvi Muhammad.
Gupta, Mr. J. N.
Hakim, Maulvi Abdul.
Hoque, Kazi Emdadul.
Maiti, Mr. R.
Mookerjee, Mr. Syamaprasad.
Rahman, Maulvi Aziznr.
Rai Mahasai, Manindra Deb.
Ray, Mr. Shanti Shekheseswar.
Rout, Babu Nosani.
Samad, Maulvi Abdus.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid

NOES.

Aizaz, Nawabzada Khwaja Mohammad, Khan Bahadur.
Austin, Mr. J. M.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Sarat Chandra.
Banerji, Rai Bahadur Keshab Chandra.
Barma, Rai Sahib Panchanan.
Badr Uddin, Khan Sahib Maulvi Mohammed.
Blandy, Mr. E. N.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Maulvi Syed Osman Haider.
Choudhury, Haji Badi Ahmed.
Cohen, Mr. D. J.
Cooper, Mr. G. G.
Dain, Mr. G. R.
Das, Rai Bahadur Kamini Kumar.
Ennefji, Maulvi Nur Rahman Khan.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ganguli, Rai Bahadur Dasil Kumar.
Ghaznavi, the Hon'ble Alhadj Sir Abdelkarim.
Ghuznavi, Mr. R. H.
Hoque, Khan Bahadur Maulvi Azizul.
Henderson, Mr. A. G. R.
Hogg, Mr. G. P.
Hooper, Mr. S. G.
Hussain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Muhammad.
Hussain, Maulvi Latafat.
Kasem, Maulvi Abul.
Khan, Khan Bahadur Maulvi Muazzam Ali.
Khan, Mr. Nagar Rahman.
Lockhart, Mr. A. R. E.
Magaiva, Mr. L. T.
Mitter, the Hon'ble Sir Provash Chunder.
Mitra, Babu Sarat Chandra.
Mortimer, Mr. H. R.
Nag, Babu Suk Lal.
Nag, Reverend B. A.
Nandy, Maharaja Srin Chandra, of Kasimbazar.
Nazimuddin, the Hon'ble Mr. Khwaja.
Norton, Mr. H. R.
Peirs, Mr. B. F.
Philpot, Mr. H. S. V.
Poddar, Mr. Ananda Mohan.
Prentice, the Hon'ble Mr. W. D. R.
Prentice, Lt.-Col.

Rahman, Mr. A. F. M. Abdur.
Ray Choudhury, Mr. K. C.
Reid, Mr. R. N.
Roy, Babu Jitendra Nath.
Roy, Mr. Sarat Kumar.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Roy Choudhuri, Babu Hem Chandra.
Saadullah, Maulvi Muhammad.
Sahana, Babu Satya Kinkar.
Sarkar, Rai Sahib Rabati Mohan.
Sen, Mr. B. R.
Sen, Rai Sahib Akshoy Kumar.
Sulaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Townend, Mr. H. P. V.
Wilkinson, Mr. N. R.
Woodhead, the Hon'ble Mr. J. A.
Wordsworth, Mr. W. O.

The Ayes being 19 and the Noes 64 the motion was lost.

The motions of Munindra Deb Rai Mahasai and Kazi Emdadul Hoque were then put and lost.

The original demand under head "25—Jails and Convict Settlements" was then put and agreed to.

26—Police.

The Hon'ble Mr. W. D. R. PRENTICE: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 2,10,71,000 be granted for expenditure under the head "26—Police".

This grant has been explained in some detail in the red book and as will be seen from the notes there, the increase that has occurred is due mainly to the partial restoration of the emergency cut in pay and also to the further increase in the temporary force. I have been going through the figures for the past 6 years to see what the increase in the police force in Bengal is. I find that in Calcutta the strength of the police force in 1927—I am talking of the permanent police force—was 5,639. At the end of 1932 it was 5,658, i.e., the permanent police force has remained much the same. It did rise in 1929-30 to 5,750. But there has been a fall since. In Bengal the permanent police force in 1927 numbered 24,606, in 1932 it numbered 24,511, i.e., a decline. It is in the temporary force which has been created to deal with the emergency that has arisen that the great increase has occurred. The temporary force in Calcutta in 1927 was 42, it went down to 33 in 1928, it was 19 in 1929, it rose to 40 in 1930, to 192 in 1931 and to 236 in 1932. In Bengal the figures are—

1927	...	...	...	804,
1928	...	...	...	794,
1929	...	...	...	775,
1930	...	...	...	2,108,
1931	...	...	...	2,793, and

there is the same figure for 1932. The increase in the police is not due to any increase in the permanent force. It is a temporary increase in order to deal with the emergencies of which hon'ble members of this

Council are all well aware and that is the fact which must be borne in mind in discussing this large demand for the police. If conditions in Bengal were to return to normal, and we had not to deal with those movements which we hope will pass away sooner or later, the expenditure on police could be reduced, but so long as these movements continue, the expenditure on police must remain high even if it does not perhaps go higher. At present it must be remembered, you have extra troops in Bengal, a fact which is having a great effect on the peace and tranquillity of the province. If these troops are removed a position might arise in which we might have to apply for a further increase of the temporary force. The future state of affairs will depend very largely on the conduct of the inhabitants of Bengal, and that is a fact which has got to be remembered in discussing this head.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 5,08,000 under the head "26A—Presidency Police—Calcutta Police—Pay of Establishment—Sergeants" be reduced by Rs. 100 (to raise a discussion on the question of appointment of sergeants from among Bengalees or those domiciled in Bengal).

I beg also to move that the demand of Rs. 26,30,262 under the head "26A—Presidency Police—Pay of Establishment—Calcutta Police" be reduced by Rs. 100 (to criticize the policy of Government in recruiting non-Bengalees to the ranks of inspectors, sub-inspectors, etc.).

The object of my motion is to raise a discussion on the question of appointment of sergeants from among Bengalees or those domiciled in Bengal.

By this motion I do not want the discharge of the present sergeants and to deprive them of their bread. They are no doubt useful men and are capable of undergoing fatigue in the discharge of their arduous duties. Sometimes they do acts of indiscretion and commit excesses but that is the way of the police in this country. I should like to request the Government to make an experiment by the appointment of Bengalees or those domiciled in Bengal as sergeants when vacancies occur. By Bengalees, I mean both Hindus, Moslems and also other people, be they depressed or oppressed or domiciled in Bengal. Given the opportunities, the Bengalees are capable of showing the mettle inherent in them. I may just mention the deeds of valour of the 49th Bengali Regiment. They were in the fighting line and did not budge an inch under the most trying circumstances even at the sacrifice of their lives and limbs. At Kut-el-Amara they shared for months together the privations and sufferings most cheerfully with their comrades in arms when the town was beseiged by the enemy. If you give them the same pay and allowances, educated men of good families will come forward to serve as sergeants. White sergeants are peculiar to Bengal. I have been to Madras and Colombo and seen the natives of the soil

serving as sergeants. I found them controlling the heavy traffic of big thoroughfares like Mount Road in Madras and in the Harbour and very busy business centres of Colombo. I hope the Hon'ble Home Member will not hesitate to make an experiment here and I have no doubt that it will prove successful.

Sir, the remarks which I have just made with regard to the appointment of sergeants apply equally to the recruitment of non-Bengalees to the ranks of inspectors and sub-inspectors, etc. It is most unfortunate that people from outside the province from the distant Punjab, United Provinces and Bihar are recruited for service in this Presidency to the exclusion of the children of the soil. Bengalee inspectors, sub-inspectors including Hindus and Muhammadans have proved their ability and steadfastness in the discharge of their onerous duties. They have won distinction by their pluck, energy and devotion to duty. The unemployment problem in Bengal has assumed alarming proportions and unless sincere attempts are made to open out new avenues of employment the prevailing discontent will continue to increase. Of course it is difficult in these days to find employment in large numbers but if the Government is serious they can stop further recruitment of outsiders and provide employment for the people of the province whenever and wherever any vacancy occurs. It was no doubt a strange irony of fate that people from other provinces not acquainted with Bengali life, character and language should be drafted to lord over the children of the soil. On moral, political and social grounds such appointments are highly objectionable. I should like to ask the Hon'ble Home Member whether he would like French or German police lording over the citizens of London. They can never think of or even dream such a contingency. I hope better sense will prevail in the case of future recruitments.

With these few words, I commend my motions to the acceptance of the House.

Mr. NARENDRA KUMAR BASU: In speaking to this resolution I shall only content myself with informing the House of a very interesting episode which occurred a few months ago. Some educated young men, graduates and under-graduates were desirous of being enrolled in the Calcutta Police, not as high officers, or even low officers, but they were content to come in as constables, but when they went over to the Police lines they were told that there were no vacancies for Bengalis. I brought this matter to the notice of the then Hon'ble Member, Mr. Reid, and I do not know what has happened up till now. I hope I shall have the information in the Government's reply to this motion.

Babu JATINDRA NATH BASU: I think in the matter of appointments in the police, the people of this province have a real grievance. Not only amongst officers, but also in the rank and file, the children of this province do not find the employment that should go to them.

In the Calcutta Police and in the District Police also, men are recruited in very large numbers, so far as the rank and file are concerned, from Bihar and the United Provinces. I do not think, Sir, that the physical standard of the cultivating and labouring classes of this province is so low as to make them absolutely unfit for the duties that have to be performed by a policeman. In the eastern districts you have the sturdy Muhammadan cultivators from amongst whom you recruit the seamen who man many of the sea-going vessels, and also inland vessels, and they have proved very efficient in the performance of those duties. There is no reason why they should not be very largely recruited for the provincial police. In the central districts of the province there are the *Namasudras*, and in the northern districts there are the *Rajbunsis*, who supply very good material for the police. In the western districts there are the *Bagdis* who used to supply, and even now, supply very largely the guards for *mufassal zamindars* for their *kutcheries* and they prove very efficient in guarding the treasuries of *mufassal zamindars* and in carrying revenue from one centre to another. But Government so far appears to have neglected this field of recruitment. My objection to the present method of appointment, and my support of these two motions are mostly based on economic grounds as to why so much of the hard earned money of this province should go out of the province, while there is enough material in the province for manning this force. As regards the metropolitan police, and the ranks of the officers, there is no reason why men of this province should not be more largely recruited: take, for instance, the traffic police where not merely physical stamina but a certain amount of intelligence is required. You sometimes do suffer a great deal from the stupidity of the traffic policemen at the corners. If more intelligent traffic policemen had been regulating the traffic, there would have been more saving of time to the public and less inconvenience.

I submit, Sir, that Government should seriously consider that the expenditure of so much of our own money on people outside the province should be stopped at as early a date as possible. I do not think both as regards the Bengali's capability of performing the duties, and as regards his amenability to discipline there are materials wanting in this province for manning the force.

Mr. SHANTI SHEKHARESWAR RAY: This is not a new subject, Sir. The attention of the Government has been drawn to this matter time and again in this House, and I think the House will agree with me that the explanation given by the Government for the continuance of this system is not at all satisfactory. Sir, whenever we ask that these white sergeants should be replaced by Bengalis, the Government refer to incidents which occurred years ago, and say that when there were riots in Calcutta, people preferred to have white sergeants instead of Indian constables among them. Hindus and Moslems both asked for

white sergeants. I do not know what truth there is in that statement, but I must say that if Bengali constables, Bengali inspectors and sub-inspectors can be entrusted with the duty of keeping the peace in the *mufassal* there is no reason why they cannot be similarly entrusted in Calcutta. Sir, if a Moslem inspector or sub-inspector in the *mufassal* village or town can be entrusted or can be depended upon to impartially exercise and discharge his duties, why similarly should not a Bengali constable be entrusted to do that in Calcutta? What are the special peculiar features of Calcutta life to make it necessary that we should have so many highly paid men to perform similar duties? Sir, one reason that occurs to me is, just to provide for these persons. Sir, that is the position that must be challenged. While the people of Bengal, Hindus and Moslems, are looking for employment, while they are in distress, why should we find money for people outside? Why should we import them from other provinces or from other lands? It is most unfair and I think it is a charge against the Bengal Government which can be justified only on the flimsiest of grounds. There may be now and then a difference between the different communities in Bengal but we should not lay too much stress upon that point. There is another aspect also. I think it is the outcome of the policy of distrust. You do not trust the people of this province, whether they are Hindus or Muhammadans—that is a patent fact. I think in this matter all the communities in Bengal will join hands and protest against this very unfair arrangement. Please note that these sergeants are always kept in Calcutta. Why are they not sent to *mufassal* towns or to the villages? I think we shall then be able to judge their stamina and how long they can really endure the climate of this province. They look quite stalwart in Calcutta, but if they are sent to malarious villages like Burdwan then I think they may deserve to some extent the high pay they get.

Whenever we raise this question on the floor of the House Mr. Prentice always disarms our criticisms by suggesting that the policy of Government is to employ Bengalis as far as practicable and that Government will do their best to recruit Bengalis to the police service. But that appears to be a pious wish only. They never take any measure to encourage Bengalis to get the requisite qualifications even if they lack in such qualifications. I challenge that position because I think there are a good many Bengalis who can discharge the duties that are generally entrusted to sergeants, or inspectors of police or sub-inspectors of police that are recruited from outside Bengal. I want Government to take serious notice of this feeling for more than one reason. One reason is that we in Bengal feel the insult to our manhood that it is necessary for you to bring in for employment in Bengal such people from outside and this feeling will place the successor of the Hon'ble Mr. Prentice in a very awkward position, when we get provincial autonomy. At least we are told that when we get provincial autonomy the administration of the country even in the reserved

departments will be handed over to the people of the province, and in that case the Minister in charge of the Police Department will be placed in great difficulty in having to replace all these men. I can say Sir that one of the first acts of the future Indian Minister responsible to the people of Bengal will be to redress the grievances of the people.

Dr. NARESH CHANDRA SEN GUPTA: My only excuse for interviewing in this debate is that I feel that I can furnish Mr. Prentice with a very cogent and proper answer to the arguments which have been adduced. I do not know what answer he is going to give but I suppose he will fall back upon those flimsy excuses of efficiency or that sort of thing which I am afraid will not hold water. Because the Bengalis might very well say, efficiency or inefficiency, we must manage with the people we have. I am reminded however of one real answer in this connection. I will refer to a story of my own grandson. My grandson went to England as a little child and stayed there for two years. On his way back while on board the ship at Bombay he looked at the people assembled there and asked his mother "are all the people in India black?" The mother said "yes, they are". The boy then said "I do not want to go to India then." If that is the feeling after two years' stay in England, if that is the feeling of a child born and bred in Bengal you can well imagine the feeling of the white people when they happen to come to this country and see everything black. These sergeants are the only white spots in the streets, so they must be retained if the eyes of the white people are not to be tired too much.

Mr. C. R. DAIN: I had not intended to take any part in this debate. But possibly I may be able to shed some light on the matter of recruitment as an employer of 7,000 hands in this city, as approximately 7,000 men are employed in my company. I have never been able to recruit more than 25 per cent. in Calcutta. It would be natural that I should recruit them in Calcutta because it would be cheaper from my point of view; it would save money in leave expenses and in many respects. Practically speaking, 50 per cent. of my staff come from Bihar and 25 per cent. from East Bengal, and I have not been able, though I have put out inducements, yet I have not been able to recruit locally. I am very glad to hear my friend Mr. Basu say that Bengalis of the *bhadralok* classes are willing to serve as constables. But the fact is that the *bhadralok* youth is not the type of man who wishes to be recruited to the police service. If they were offering I should certainly not have refused local men as against outsiders and I believe that my labour force is larger than that of the Calcutta Police.

On the question of sergeants Dr. Sen Gupta put forward a reason as to why they are employed here. I do not think he put that reason

seriously nor am I going to take him seriously. But I would just fo a moment draw the attention of the House back to the riots of 1926, i April and May, when the services of the European police force were i great request. In fact I think European ex-policemen were worth 20 rupees each to guard and watch the houses of merchants for one nigh So I think it is really unfair to tax the Government with not recruitin Bengalis when they do not offer themselves for posts of constables an sergeants.

Mr. J. N. GUPTA: I want to support very strongly the proposal t train educated young men for appointments both of sergeants and othe posts in the metropolitan police. I quite realise that it is very neces sary that the backbone of that establishment should for some time ye be the European sergeants and I also very greatly value the efficienc of the band of sergeants whom we see working in Calcutta but at th same time there is no reason why a beginning should not be made. I Bengalis are good enough to fill the posts of Superintendents of Police Assistant Superintendents of Police and Assistant Commissioners o Police it is unfair to think that given proper training and guidanc they will not be able in time to take their places among their Europea and Eurasian brothers as sergeants. On political and economic grounds Government should make a strenuous and honest beginning to giv proper training and employment to educated young men as sergeant and in the higher ranks of the police in Calcutta.

Mr. P. BANERJI: In rising to support this motion I must first o all tell Mr. Dain that if he is prepared to replace the 50 per cent. of the non-Bengali labour, namely, 7,000, that is employed in his tramways company I am prepared to supply him with that number from Bengal, whether from west Bengal or from east Bengal. He has said that 25 per cent. of his staff come from East Bengal and 50 per cent. from Bihar and the remaining portion only of his staff is recruited locally, because the full complement is not locally available. Sir, I claim to know his department better because he has joined the company only recently whereas I know the department from the time when Mr. Wills was in charge of the company 30 years ago. I can tell him what are the difficulties of Bengalis coming in and joining his company. First of all the salary that his company gave was very low, which has only been increased after the strike. Then the dress; it was not thought at all respectable by young Bengalis and that is why service under the Tramways Company was not an attractive one. The third thing is the shifts: they were to work at unusual hours and similarly therefore it did not offer any attraction to *bhadralok* youths. But if Mr. Dain seriously wants to replace the 50 per cent. of his non-Bengali staff from Bengal I can assure him that it will be available here. Last year I suggested to the Hon'ble Mr. Prentice while moving a similar cut that

Bengalis were available to work as constables and I could supply him with an adequate number, but Mr. Prentice was of opinion that they were not available or would not come forward to enlist in the police force.

Now when experienced members from this side of the House have said year after year that sufficient inducement should be given to the Bengalis, and when they are in every way fit, I find no reason why this should not be done. Mr. Shanti Shekhareswar Ray has rightly pointed out that it is rather an insult to the humanity of Bengal and I do say it is certainly an insult. The point is that if a Bengali policeman is here, he will think a thousand times before he does the things dictated by the department. He will not act unreasonably. If a non-Bengali is taken he will do whatever he is asked to do. That is my point and that is the policy of Government to-day and following that principle, the policy of Government is to take more non-Bengalis than Bengalis. Sir, I have no hesitation in saying that a person who after his retirement will have to remain as a common villager with other people will think a thousand times before he does anything against his conscience. Instances can be multiplied showing that this is the policy of Government and I do say that that policy is a bad policy and Government should change that policy.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, the debate is a very delicate one and one must approach this question from a delicate point of view. I have to approach this question in two parts. One part refers to the sergeants of the Calcutta Police, and the other part refers to the other members of the service. I must say that the fact stands that the number of Bengalis in the Calcutta Police is not sufficiently large. But is it really due to the fact that the Government policy closes the doors against Bengalis, or is it because the temperament of the Bengalis has made it possible for everybody else to flourish in Bengal except Bengalis? Sir, I would ask my friend when he keeps a *durwan* whether he will not take a man from up-country in preference to a Bengali; if he wants a cook, will he not employ one from Orissa? I would ask my friend if he were to require a man hardy in life and active in habits whether he will not give preference to a man who is temperamentally fitted for his job? This is exactly the position which has practically shut out Bengalis from certain appointments in their own province. Let us take the case of the Tramways Company about which Mr. Dain spoke just now. Then take the case of the jute mills. What percentage of Bengalis you will find in the jute mills. Yet there is so much economic distress in the country that people do not get two meals a day. Then take the taxi drivers—the Punjabis have practically monopolised the business and the whole of Bhowanipur is now flooded with men with big pugrees who some time are a menace to the locality. A time will certainly come when you will have to take up the question

seriously as to whether the economic exploitation of Bengal by ever body else is to be completely stopped or whether we shall have to ta our chance in the open competition. But certainly so far as the prese circumstances are concerned we cannot blame Government alone f the predominance of other races in Bengal. Sir, I do not expect n Bengali servant to give me that amount of time and service which would expect from a servant from up-country. The policemen i Calcutta are required to work under such circumstances that the li of a Calcutta policeman is not so very rosy as it is supposed to b Take for instance the visit of His Excellency the Viceroy. Our norm policemen are not sufficient to cope with the situation when the Vicero or other notabilities come here, at least so far as protection is co cerned. Sir, in a moment the Calcutta police has to completely lin the route and provide for their protection during their stay here. Ther are certain special circumstances which have also to be tackled. Ther is the question of football congregation. Then you require a certai number of men for certain contingencies such as the sudden outburst o communal passions and frenzy that took place some time ago of whic I hope we have seen the last. But the police are to be in sufficien strength in case of such contingencies. They are required when, fo instance I and Mr. Syamaprosad Mookerjee are quarrelling. Sir in Calcutta we also do require a certain number of men from othe provinces. Take for instance the Marwari population; they are a goo number here: then there are the Kabulis: the Punjabis and also th Chinese population: and to tackle special crimes in those quarters you want policemen for those places.

Mr. SHANTI SHEKHARESWAR RAY: Are there Chinese policemen in Calcutta?

Khan Bahadur Maulvi AZIZUL HAQUE: I think the Calcutta Police have some arrangement by which they can keep touch with these men.

Mr. P. BANERJI: Let the Khan Bahadur be in charge of that department.

Khan Bahadur Maulvi AZIZUL HAQUE: I would yield the place to Mr. P. Banerji: he offered to furnish Mr. Dain with 50 per cent. of his men.

Sir, Bengal is certainly a place where people from other provinces flourish. I myself often think how is it that a man from Rajputana who comes here with only a *lota* becomes a millionaire within a few years. This is a genuine grievance indeed with me. But of course I cannot live on diet for years which a Marwari is accustomed to. But these are also circumstances which combine to make the public services of

Bengal what they are. With these words, I say that it is not fair to criticise the Government because this is a matter which depends entirely on ourselves.

Maulvi HASSAN ALI: Sir, my motion No. 495 is more or less akin to this motion. May I move it now?

Mr. PRESIDENT: You need not in that case move your motion, you may speak on the one already before the House and give your own reasons to justify the same.

Maulvi HASSAN ALI: Sir, I am no seeker after loaves and fishes of the State and naturally I am quite averse to indulge myself in discussions of a matter like this. Still, Sir, a sense of duty towards the people of North Bengal has compelled me to table a motion like this. Sir, I hope with others here that in the Calcutta Police Bengalis should be appointed. But what I wish to urge upon Government is this: that in the matter of police appointments due consideration should be given to every part of the province. Sir, there is a complaint from the people of North Bengal that no appointment has as yet been made in the Calcutta Police from among the people of North Bengal, and the House, I think, remembers that only two or three days back I put a question to this effect and the Hon'ble Member in charge of the Appointment Department could not give me a satisfactory answer with regard to the figures and I believe, Sir, that not a single appointment in the Calcutta Police has been given to the people of North Bengal. That is a condition of things which ought not to prevail. Hitherto the practice has been this in matters of appointment: those people who are more vociferous or vocal or who are more assertive, they and they alone get appointments. In this respect, Sir, North Bengal people have formed themselves into a separate class of untouchables. What I mean to say is that they lag much behind in asserting their cause and they are less vocal and self-assertive than people of any other part of Bengal, as for example the people of Southern and Western Bengal, who, besides possessing the two qualities I have mentioned, have got the advantage of aristocratic backing behind them, which the people of North Bengal unfortunately have not. Naturally no appointment has been made as yet in the Calcutta Police from among them. I therefore urge upon the Government that due consideration should be given to this matter and the Government must see that appointments are made in the Calcutta Police from the North Bengal people. We all know, Sir, that the Calcutta Police is maintained from provincial revenues and I do not see any reason why no appointment should be made from a certain part of the province.

Rai Bahadur KESHAB CHANDRA BANERJI: I do not think I need speak at length in supporting this motion. The mover and other speakers have given cogent reasons in support of the proposition regarding the appointment of sergeants from among Bengalis or from those domiciled in Bengal. I agree with the mover so far as the question of providing educated and intelligent young men with these posts is concerned, but should we be so parochial as to urge the total exclusion of outsiders if they are otherwise qualified and considered superior physically and in point of merit? You cannot expect that the Bengalis will be able to replace the European sergeants in a day. It is only by gradual training that they may be expected to take the place of these officers. Sir, the mover has already referred to the 49th Bengali Regiment which was formed during the Great War and their achievements in the different battle-fields; I need not, therefore, deal with them in detail. It is well known that the present unrest in Bengal is due in a large measure to unemployment and though unemployment is growing apace, nothing has yet been done to solve the problem. This is an opportunity which may be taken advantage of partially to solve the problem. Sir, I might refer to another aspect of the question. The unemployment problem, as I have already said, is responsible to an appreciable extent for the growth of unrest in Bengal and if young men who are qualified and educated can be absorbed into the police department and appointed as sergeants, I think it will go a great way towards easing the present situation, and terrorism and all subversive movements will disappear, if we can provide the unemployed Hindu and Muhammadan youths whose number is not negligible in this province. We are on the eve of momentous political changes. A beginning should now be made so that when the time comes there may not be any difficulty in finding suitable men to carry on the work of sergeants and other responsible police officers. Khan Bahadur Azizul Haque wants to know whether or not one would like to have an Ooriya cook in preference to a Bengali. I may say that the number of Bengali cooks is not small in this province, and there is no doubt a preponderance of Ooriyas in Calcutta and its vicinity, but in East Bengal we get good cooks who hail from Sylhet (Assam), Bakarganj and Dacca districts. It will thus appear that this service is no longer the exclusive monopoly of the Ooriyas. My point is that unless opportunities are offered we are not likely to get men who have not hitherto been available for such purposes. There are the University Training Corps in Calcutta and Dacca. I had an occasion to pay a visit to the Dacca University Training Camp some time last year and it was really gratifying to find the way in which the members of the Corps performed their duties. They submitted to discipline without demur and were quite happy and satisfied with the treatment they received at the hands of the Adjutant. Trust begets trust. They were trusted by the Commandant and they also trusted him. They were properly looked after and had nothing to complain of. They were placed in charge of arms and ammunition

and guarded the magazine with care and vigilance. So, I think if the Bengalis are given the necessary training, the trust will not be misplaced and much of the discontent that now prevails will vanish from the land. With these words, I support the motion.

Rai Bahadur JOGESH CHANDRA SEN: I whole-heartedly support the motion. I am sure the Hon'ble Member is now convinced that a very strong case has been made out and I can guess what answer he is going to give us; he is going to spring a surprise on us. I am sure he will accede to our request and will not allow us to go to a division. The recommendations of Rai Mahasai are quite reasonable and I think that the manhood of this province should not be denied this privilege. I should like to suggest that this Council should pass a resolution at a very early date by which all companies registered in Bengal or working in Bengal may be compelled to employ at least 90 per cent. Bengalis.

Kazi EMDADUL HOQUE: I rise to give my whole-hearted support to the motions moved by Rai Mahasai and in doing so I must confess that I do not understand why the Government should show its unique partiality to certain districts in preference to others in the matter of recruitment to the Calcutta Police. It cannot be said that qualified candidates are not available in these districts. Qualified candidates, both amongst the Hindus and Moslems, are plenty. If the Hon'ble Member cares to know how many candidates are still unprovided in these districts, he can get that information on a reference to the District Magistrates who are occasionally approached by the qualified candidates for appointment. Only a short while ago one of the Hon'ble Members in the Treasury Bench treated us with a very good sermon that we should not make discrimination between prisoners and prisoners, between political prisoners and others in the matter of the supply of food. But the sermon should hold good as well in this case. Why should Government make discrimination between districts and districts in the matter of recruitment to the Calcutta Police? Of course it may not be known to the candidates when and whom they are to approach for these appointments, but if the authorities in charge of this department would make inquiries from the district officers when filling up the vacancies here then this grievance of these districts will be redressed. I, therefore, hope that henceforward the Hon'ble Member in charge of the Appointment Department would make it a point to make adequate appointments from the candidates of the northern districts, specially the districts of Rangpur, Dinajpur and Jalpaiguri.

(The Council was then adjourned for 15 minutes.)

(After adjournment.)

The Hon'ble Mr. W. D. R. PRENTICE: Sir, on several occasions Government have announced in this House that their policy is to employ Bengalis in this province in whatever posts they are fit for. That has been announced time and again; that is our policy and we adhere to it. Considering that as the general policy I would like to examine how we carry it out in connection with the police. These two motions deal with the ranks of inspectors, sub-inspectors, etc., and sergeants. Well, let us start at the bottom—the constables. I will confine myself generally to the Calcutta Police, because the motions deal with that head, but I shall refer on one or two occasions to the Bengal Police also. In connection with the constables, Mr. Narendra Kumar Basu stated that in August last he raised this question. I find that it was raised in August 1932 and on the 19th August there was a report to us from the Calcutta Police that there was no objection to the enlistment of *bhadraloks* as constables provided they were physically fit and strong enough to undergo the hardships and fatigues of a constable's life. In the Calcutta Police they are perfectly willing to enlist all the Bengalis who are fit, and it is not the case that no Bengalis are enlisted, because for example, if the members will refer to paragraph 7 of the last Annual Report of the Calcutta Police, they will find that the number of recruits during the year 1931 is as follows:—

Upcountry Hindus	47
Upcountry Muhammadans	41
Bengali Hindus	16
Bengali Muhammadans	7

Every Bengali who offers himself for recruitment and satisfies the requisite qualifications is accepted and there is no attempt to enlist outside the province because of a desire to refuse the Bengalis. The reason for enlisting outside the province is just as Mr. Dain has said in connection with his company that he does not get an adequate number of men within the province. If the local people do not come forward, you cannot leave the posts vacant. I admit that we have not gone as far as has been proposed by Maulvi Hassan Ali that we should allot posts to various districts in the province. It makes no difference whether recruits come from East Bengal or Northern Bengal or West Bengal nor do we distinguish between district and district, between Faridpur, Dinajpur, Rangpur and Jalpaiguri and any other district. If they come along and satisfy the qualifications they will be recruited. But I would warn you that it is useless to expect that the ordinary Bengali at present will stand the hardships of the trainings; a constable's life is a heavy one. The recruits have to pass through the training school and a considerable number do not pass through the test and are rejected on medical grounds. But the fit Bengali is

taken in without hesitation. Then we come to the rank of assistant sub-inspectors or head constables. Practically all of them are Bengalis except those who were recruited for the Armed Police, and for this Armed Police you want people with certain qualifications. In the case of the Armed Police, a head constable is usually promoted from the ranks. In the case of assistant sub-inspectors, some persons are promoted from the ranks and some of them are recruited direct. But they are practically all Bengalis. In the case of sub-inspectors of police, they are partly recruited direct and partly by promotion. I think those of you who know the sub-inspectors in Calcutta will bear me out that almost all of them are Bengalis, but we have also some up-country sub-inspectors to deal with special classes of inhabitants. In a city like Calcutta, where there are various communities we must have some men to deal with these communities. The inspectors are all promoted from the rank of sub-inspectors or from the rank of sergeants, according to the class of work for which an inspector is required. In some of the posts, they are recruited from sergeants and in others from sub-inspectors. Most of the sub-inspectors being Bengalis, most of the inspectors are also Bengalis. The whole object is, as far as possible, to recruit Bengalis.

Then we come to the question of sergeants. I sympathise entirely with the desire for finding employment for Bengalis but I think there has been a lack of proportion in dealing with this question. I think it was Rai Bahadur Keshab Chandra Banerji who talked about the legion of the unemployed, and said that if we opened the ranks of sergeants to Bengalis it would go a great way to deal with this evil. But the number of sergeants in Calcutta is 218 permanent and 36 temporary, that is 254 posts altogether. Sir, I do not think that will go very far in dealing with the unemployment problem in Bengal.

Then as regards the sergeants, the sergeants are not a new institution in Calcutta. There were European police in Calcutta years and years back. At the time of the Police Commission, they dealt with the matter and pointed out that such men were required. Calcutta is not a Bengali city entirely but it is a cosmopolitan city. There are a large number of Europeans in it. There is a large ambunt of foreign shipping and other traffic that comes in, and the experience of all these years has shown that you do require a European force to deal with certain aspects of police work in Calcutta. One of the speakers said that as soon as there is an Hon'ble Minister in charge of the Police Department, he will at once get rid of the European sergeants. I do not mind betting that he will not, and that if he does, he will be sorry. You have got to realise the fact that this is a cosmopolitan city.

Mr. SHANTI SHEKHARESWAR RAY: On a point of personal explanation, Sir. I did not say that he will get rid of all the

sergeants. I said that he will reduce them first of all and then employ Bengalis.

The Hon'ble Mr. W. D. R. PRENTICE: I take the member's statement for what it means. As far as I can interpret it, it means that in order to relieve unemployment, he will get rid of the non-Bengalis; otherwise I do not see that it means anything at all. It is a plain and intelligible proposition.

Sir, sergeants are required for certain duties and Government does not want to have more of this expensive force than is required. From my experience in Calcutta, and you who live in Calcutta know it as well as I do, I can say that this force is really required, and you have got to recognise that it is an essential part of the police force.

We shall endeavour as far as possible to man the Calcutta Police with Bengalis. But, as I have said, in all ranks there is a need for a certain leavening, and we shall try to reduce this leavening of all ranks if Bengalis who are fitted for the work come forward. More than that I cannot say.

The two motions of Munindra Deb Rai Mahasai were then put and lost.

MUNINDRA DEB RAI MAHASAI: Sir, I beg to move that the demand of Rs. 33,63,000 under the head "26A—Presidency Police—Calcutta Police" be reduced by Rs. 100 (to draw attention to bribery and corruption in traffic management).

Sir, it is a matter of common knowledge that bribery and corruption are rampant among the traffic police. The bus owners cannot ply in the streets of Calcutta unless they come to some arrangement with them. In most cases, monthly payments are made to them. Unless they pay they are sure to be put to all sorts of difficulties. Prosecution after prosecution will follow until they come to terms with the police. Most of the Magistrates take the word of the police as gospel truth and seldom dare to disbelieve their statements. The result is, whenever a prosecution is started, convictions are almost certain and the repetition of prosecutions considerably increases the amount of fines. No amount of defence or argument can save the poor driver, conductor, or proprietor from the imposition of fines. Little discretion is used in these prosecutions. The parties, therefore, prefer to satisfy the police greed rather than risk *hajats* and fines for technical or false prosecutions. I have on many occasions seen the payment of bribes to traffic police by *buswallas* in Chowringhee and Howrah station. If you want to get a license for your car or bus or taxi or rickshaw or want a driver's license or a conductor's license, you cannot get them easily unless you pay handsomely to the police. Some of the sergeants prefer whisky to cash. These are all open secrets. If you do not pay you will be put to considerable difficulties

on frivolous pretexts. If you are a bus owner they will find fault with your engine or the steering wheel or even with the shutters. You will be required to produce your conveyance day after day and new defects will crop up each day and sent back for repair. This harassment will go on until you agree to satisfy the police by the payment of a substantial bribe which will cover a multitude of sins.

I know of several instances in which the police demanded money and on refusal broke open the seal for speed limit and prosecuted bus owners on the charge of tampering with the seal. The prosecuted owner and driver had to put in an appearance from day to day, give bail, engage pleaders and were obliged to spend a good deal of money for their defence. The Police Magistrate cannot disbelieve the statement of the police and conviction and sentence of heavy fines are inevitable. To avoid these persecutions, harassments and botheration and waste of money over a bad job, they think it better to come to some monthly arrangement or pay bribes as occasions arise to avoid persecutions and prosecutions. These are the things of everyday occurrence. The cost of the police is ever on the increase; the pay and emoluments are rising up by leaps and bounds, but that has not helped to improve the morale of the traffic police, nor did it prevent their greed for more money by illegal means.

Formerly there were civilian Magistrates like Mr. Geake who would go about dressed like a Bengali Babu to see for himself bribery and corruption that prevailed in the police force but such administrators are now few and far between. My Hon'ble friend, Mr. Prentice, is a prisoner in his own home with barbed fencing in every nook and corner of his residence and he cannot be expected to play the role of Haroun al Rashid of old to find out the correctness of the allegations made against the police. Uneasy lies the head that wears the official crown. I cannot but sympathise with the Hon'ble Home Member in his present predicament. However, I hope he will not get ruffled and give rude and discourteous replies when his pet children are attacked. It would enhance his reputation as an administrator if he can stop bribery and corruption in the police force and improve its morale.

With these words, I commend my motion to the acceptance of the House.

Khan Bahadur Maulvi AZIZUL HAQUE: I am surprised, Sir, that my friend the Rai Mahasai has brought in a charge which not only did not give us concrete instances but was entirely of a general character, and I feel, Sir, that it is not fair to the public service of any country if vague and general statements are utilised in this House with a view to discrediting any service, be it traffic police or anything else. Sir, I myself move as much in Calcutta as my friend does, and I always feel that the bus owners are a positive danger to the Calcutta

people because of the speed with which they sometimes go by the side of Chowringhee and that the police should be a little more vigilant in their control over the bus owners. I honestly feel that the Rai Mahasai has done a disservice by not only castigating the traffic police but also by his remarks on the judiciary that whenever a case goes to a court, it ends in conviction. I feel that the judiciary has not yet been brought to such a level as to make no proper investigation of a case. I must confess I do not know much about the Calcutta motor traffic, but I had an occasion to go to the motor traffic court, and I did find that a good deal of time was really taken in investigation if there is a real defence on behalf of the bus owner. Sir, I myself always prefer—I do not know if Mr. Dain will appreciate it—the old method of travelling by tram rather than by the more speedy buses, and I think it is the feeling of many in Calcutta and that because of the way in which the buses ply on Chowringhee it would be far safer to go by this surer fashion rather than by more speedy buses introduced in Calcutta.

As regards the charge of bribery and corruption, I think the Rai Mahasai would have done well if instead of wasting the time of the Council he had immediately brought this to the notice of the departmental authorities. Possibly in no country in the world can you tackle this problem of bribery if citizens like the Rai Mahasai would not take care to report to the proper authorities but wait for this House to ventilate it in this manner. To do so is, I submit, a discredit to the citizens of this town.

Mr. P. BANERJI: May I have your permission, Sir, to move my motion No. 501 at this stage?

Khan Bahadur Maulvi AZIZUL HAQUE: That is entirely a different matter. That relates to bribery and corruption in the department.

Mr. PRESIDENT: Mr. Banerji can move his motion at this stage.

Mr. P. BANERJI: I beg to move that the demand of Rs. 43,08,000 under the head "26A—Presidency Police" be reduced by Rs. 100 (to raise a discussion about increased corruption in the department, with particular reference to traffic police).

I have brought forward this motion in order to raise a discussion about corruption in the Police Department, particularly with reference to the traffic police. The Rai Mahasai has just referred to the state of affairs, I think it should be an eye opener to the Hon'ble Mr. Prentice if he really wants to remove these grievances and if he wants to rise higher in the estimation of the people.

He naturally claims to be a good administrator and therefore he should not have allowed such a state of things to exist. I can say that this corruption is going on even in the front of his own residence at the corner of Kyd Street. But my point is not so much with regard to the existence of corruption among the traffic police but that it is on the increase and it has increased so much so that it must be checked in no time. Khan Bahadur Azizul Haque who is a great champion of the traffic police of Calcutta, without having any experience of the streets of Calcutta save when he walks or travels in tram cars when he comes to Calcutta in connection with a Council session, has supported them, while Munindra Deb Rai Mahasai who lives in Calcutta and goes about the streets of Calcutta and sees what is happening on the streets of Calcutta, must indeed be accused of wasting the time of this Council by ventilating this thing here! On the contrary the Khan Bahadur should be ashamed of having wasted our time by speaking on a matter of which he knows nothing.

The Khan Bahadur has said that instead of bringing such matters before the open Council we should bring them to the notice of the department privately. But Sir so many cases of this nature are daily taking place that it is quite impossible to bring each of them to the notice of the Hon'ble Member; I have brought them to the notice of the Hon'ble Member on many an occasion and it was up to him to take action but he did not do anything. He should have risen equal to the occasion and tried to check this corruption. I will now give some concrete cases which will convince both the Khan Bahadur and Mr. Dain who have supported the Khan Bahadur. The Khan Bahadur has said that the tramways system will go on and the bus system should be discontinued. Well, Sir, I have no objection if it goes on; one might also like the idea that the aeroplane system will also commence running from one end of Calcutta to another soon, but as regards the stopping of the bus service it is the business of Government to consider the matter and the Khan Bahadur need not trouble his brains over that. Mr. Dain has strongly supported the Khan Bahadur but seeing that he knows Calcutta better he should not have done so. He knows that even in England, in London and other places there is the omnibus system along with other methods of transport and it has not yet been stopped. But this much I can say, that until Khan Bahadur Azizul Haque takes charge of the portfolio of law and order the bus service will go on, for the Hon'ble Mr. Prentice knows his business better than the Khan Bahadur. I therefore submit that this increase of corruption must be put a stop to. I can tell you that the buses that play on route No. 5, namely, between Howrah and Kalighat, they wait at the front of the Curzon gardens near Whiteaway's for 15 or 20 minutes, which is quite contrary to police regulations. This causes great inconvenience to the passengers who have to catch trains at the Howrah station and with what result? On one occasion I was travelling in a bus along with a

gentleman who had ladies with him. The bus as usual halted at the crossing for more than 20 minutes and that gentleman had to take a taxi and run to the Howrah station for fear of missing his train. The conductor did not heed his admonition saying that "I do not care; I have paid the head constable and he cannot do anything to me." At one time I happened to have occasion to go to Clive Street and took a bus and had to wait at that fateful crossing for more than 20 minutes, till another bus came. This is invariably done by those buses whose owners have paid the policemen handsomely and I can challenge the Khan Bahadur and the Hon'ble Mr. Prentice or any member of this House to accompany me in the guise of Haroun al Raschid, as was suggested in another connection, and I will be able to prove to them to what extent corruption is going on in broad daylight at any time of the day you like to see. That is the state of affairs so far as the buses are concerned.

Now, Sir, the Khan Bahadur has also suggested that the running of buses must be stopped; that is, his idea is that they should not run in streets like Chowringhee in particular. And why? Because they run at great speed. But has the Khan Bahadur cared to inquire into the reasons of this fast running? It is because the bus owners have paid the policemen handsomely that they are allowed to run so fast along Chowringhee, while those that have not paid anything they get sent to court if they dare run fast. The Khan Bahadur has said that he was present at a street accident trial in the traffic courts and found nothing wrong, but as against this we have also the statement made to me by another Khan Bahadur, namely, Khan Bahadur Abdul Momin that once his driver was fined for nothing. That is the state of affairs in the traffic courts. One has got to go there to see what happens when cases are called. Before the driver or conductor can make any statement or put forward any explanation he is fined Rs. 20, or Rs. 25, and I am prepared to take with me anybody to show how justice is administered there.

Mr. PRESIDENT: Mr. Banerji, are you criticising the police or the traffic courts?

Mr. P. BANERJI: Certainly, Sir, I am criticising the police and if I have referred to the traffic courts it has arisen out of the statement of the Khan Bahadur that everything was all right there. Certainly he was not within his jurisdiction in saying so, because I have personally seen the things there—how the police actually have a large hand in the traffic courts, and practically decide whether a man should be fined Rs. 20 or Rs. 25 or Rs. 30. Therefore I am right in saying that corruption has increased to such an extent that they can suggest any fine they like. Therefore my object in moving this motion is to bring to the notice of the Hon'ble Member that the time has come, especially

in these hard times, for it to be checked. In these times it is not a slight thing for a driver or a conductor to be fined as much as Rs. 50, Rs. 75 or even Rs. 100 which is not what they can earn in two months nowadays. This is with reference to the corruption as regards buses, Sir.

Now, I will deal with carts that carry goods in the early parts of the morning, that is between 4 and 6 a.m. What happens to them?

Mr. PRESIDENT: We will hear Mr. Banerji continuing his speech to-morrow; for I shall have to adjourn the Council now.

Adjournment.

The Council was then adjourned till 3 p.m., on Thursday, the 23rd March, 1933, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Thursday, the 23rd March, 1933, at 3 p.m.

Present:

Mr. President (the Hon'be Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 104 nominated and elected members.

DEMAND FOR GRANT.

26—Police.

Mr. P. BANERJI: Sir, last night whilst speaking on the increased bribery and corruption in the traffic police, Khan Bahadur Azizul Haque wanted me to cite some definite instances and concrete cases. Sir, last night I was referring to the Route No. 5 Bus and I will give the House some concrete cases. Sir, there are about 50 buses in that route. The arrangement with the police is that the bus-owners are to pay Rs. 25 for every bus per month to the sergeants stationed at Howrah station, Rs. 10 to the *zamadars* and Rs. 5 to the constables. Besides, they have got to pay Rs. 2 a day at the junction of Kalighat Depôt, Hazra Road and Esplanade and on this side of the Howrah Bridge. Thus altogether the bus-owner has to pay Rs. 100 to the police per month for every bus as contribution. There are 50 buses in this route as I have already said and you may make the calculation as to how much the police earn in this route alone. Sir, I have mentioned "increased" corruption in my motion. The police have been enjoying for many years this money and now they must impose a surcharge. This is how they do it. There are little urchins in street corners who make these collections for the police. If my friend Khan Bahadur Azizul Haque or the Hon'ble Mr. Prentice or anybody else will come with me, I will prove all these things. Well, these urchins sometimes stop the buses and will realise the money on behalf of the traffic police and then let the bus go. Everybody travelling in buses knows all about this. The passengers are detained for nothing. At the same time there are particular offences for which these bus-owners are punished, *viz.*, (1) excess passengers, (2) excess speed and (3) excess

stoppages. Sir, I find no reason why the proprietor or the driver should be punished for excess passengers. Motor-cars are not drawn by animals; so it would not be an act of cruelty to animals. The traffic police constable asks if there are excess passengers and if there are, 4 annas is paid to the constable and the bus is allowed to go. Then about the excess speed for which a fine of Rs. 25 is imposed on the report of the traffic police. Sir, if the governor of a bus is sealed, then it can only run up to a certain speed, but it has been found that after a governor was sealed, the bus was fined the very next day for excess speed. My point is when you seal the governor, you cannot fine a bus for exceeding the speed limit. As regards the excess stoppage, I find that a bus is fined even for a stoppage of 17 or 20 minutes. The reason may be that the engine has been dislocated or refuses to start and over that the driver has no control, yet he is fined. For all these offences, the number is taken and a report goes to the traffic police and the bus-owner is fined. I was referring yesterday to Khan Bahadur Momin's case. He himself appeared as a witness, but his statement that his driver was not on the wrong side of the road was not believed and the driver was fined Rs. 5. (Hear, Hear). The constable's statement was accepted as against the Khan Bahadur's. That is the position.

All these things do encourage the constables to accept the bribes. That is my point. I would ask the Hon'ble Member to kindly inquire into the matter and see for himself whether there is such a deplorable state of corruption in the traffic police or not. The traffic police should not be allowed to earn extra money in this way—handsome money too—and this nobody can dispute that the police have got a well-paid staff. Our grievance is that in broad day light in the streets of Calcutta with responsible members of Government passing along this regrettable state of things is going on without the least impunity. Therefore this sort of things must be put a stop to at once. There is another grievance. Supposing the tail light is out of order. The driver is not aware of it. The tail light number is taken once at Bhowanipur, once at Esplanade and once at Shambazar and for that same offence he is summoned in three courts: Bankshall Court, the Northern Court and the Alipore Court. Therefore, I would suggest that there should be a central traffic court with a Barrister Judge presiding over it and who will not be dictated to by the police. If this is done, all these grievances will at once be removed and the traffic police will not have everything their own way.

I was mentioning "increased" corruption. There are *pan* and *biri* shops at every street corner or near the bus-stops. When a bus stops there, the bus-driver has to treat a constable on duty there with cold drink and if he refuses to do that, his number is taken and he is charged with some offence. Then the traffic constable may have a friend of his—a *deswali*—and he asks the bus-driver to give him a free ride up

to a certain destination, say, Shambazar. If the driver refuses, then his number is taken and he is put to trouble. That is the present position to-day. Therefore, I submit that the Hon'ble Member should make inquiries into the state of affairs in order to put a stop to bribery and corruption specially in the traffic branch of the police. The only way to do it, I would suggest, is by starting a central court for the trial of all motor offences.

Rai Bahadur Dr. HARIDHAN DUTT: After hearing Mr. P. Banerji I am tempted to say a few words. Sir, I live in Calcutta, as my friends know, in a portion of the city and where underneath my nose I see the traffic police working. I may say that I observe them work almost 24 hours of the day and for days and months together. That has led me to think that during the last few years there has been a noticeable improvement in the work of the traffic police. I cannot endorse what has fallen from Mr. P. Banerji that there is increased corruption in the traffic police. On the other hand, I am led to believe that during the last few years there have been a marked improvement in the work of the traffic police. By saying so I do not for a moment suggest that the traffic police is beyond corruption or that there is no corruption among them. Sir, I took some interest in this matter during the time of Sir Charles Tegart and I had occasion to find that large amount of corruption was prevailing at the time in the city. I have some experience in this connection. I know that corruption was rampant amongst them at one time. But during the last few years there has been improvement in the conduct of the traffic police. (A VOICE: You will get a knighthood in no time for this.) I do not know about my getting a knighthood or not, but truth is truth and it must be told without the least reservation. It is no use exaggerating things in order to give vent to one's own propensities. I may tell the House at once that I have also some experience of the vagaries of the bus-drivers. My friend suggested that bus-drivers should not be punished for increased speed. May I inquire from my friend whether he knows—as every one in Calcutta knows—that these bus-drivers abuse their privilege and drive at a furious speed running parallel to each other? If my friend would come to my place at the busy hours of the day, he would see that these bus-drivers have made these street corners a sort of pandemonium. He will often find two or three buses running parallel at a tremendous speed. It may be that the speed is the maximum speed. But am I to understand from Mr. Banerji that a driver must work at his maximum speed always? The maximum speed should only be used when there is no obstruction in the front and in order to avoid an obstruction. It does not follow that because a car has got a speed of 30 miles an hour it should always be run at that speed. I fear, my friend does not understand these

things. I have been driving my own car for the last 15 years. (Mr. P. BANERJI: I have been too.) Then you ought to have that experience. Supposing the speed limit is 25 miles per hour, but if everybody drives at that speed, then Calcutta will be converted into a regular hell.

Then, Sir, about buses stopping at street corners. Who does not know that bus-drivers abuse their privilege in regard to this matter too? It is a well-known fact to those who ride in buses that the bus-drivers make longer stops than they are permitted in order to have more passengers. Sir, my dispensary is at the corner of College Street and Harrison Road and I see these things taking place very often. Sir, my friend has asked us to accompany him so that he may prove his case. I would also ask him to come and see for himself what I see every day. If he cares to come at the Harrison Road corner between the hours of 7 and 10 o'clock at night, he will see that about three buses are waiting in a corner for passengers and a fourth bus at the other corner for the same purpose. What the traffic police does with the buses, I do not know. I do not for a moment suggest that there is no corruption in the traffic police. I have seen corruption and the Hon'ble Mr. Prentice also may have cognizance of that. But then what department is there without corruption? In our own household we cannot manage our own servants and there is corruption. If my friends do not recognise facts around them, there is no help. The difficulty is that they want to live in the ideal world.

Then, Sir, about the bus-drivers being fined and so on; there also I have some experience. My friend has suggested a barrister for a central motor court and so on. By insinuation he makes a reflection upon the Presidency Magistracy (A VOICE: Honorary Magistrates)—not Honorary Magistrates in whose group I have the misfortune to belong, but upon the stipendiary Magistrates. I do not stand here to defend them. But I cannot really understand why there should be such indiscriminate remarks about them. Sir, if you think that a stipendary Magistrate who sends men to jail is doing his work properly, then why should my friends think that one of these stipendary Magistrates holding the same position should turn into a devil as soon as he presides over the motor court? In that view of the case, they are all devils from the Hon'ble Mr. Sinha to the honorary Magistrates. Then why should my friends single out motor courts? I have known that every attempt is made by the Magistrates of the motor court there to mete out justice. Now, what about these bus-drivers? Are not many of them the riff-raffs of our society? (Mr. P. BANERJI: As respectable as many of us are.) I do not say that all of them are bad; but a society is known by the conduct of the majority. The majority are men who do not deserve much sympathy from Mr. Banerji. If my friend had talked of oppression by the police, I might have sided with him.

But when he says increased corruption and increased oppression, I mu join issue with him.

Reverend B. A. NAG: Sir, I have listened to Mr. Banerji's spee with a certain amount of mixed feelings—feelings of sadness and fee ings of indignation. If Mr. Banerji's statement is absolutely correc it is very sad that there should be so many policemen who are beir corrupted or who are yielding to corruption. On the other hand, have been feeling indignant that there are so many people in the ci of Calcutta ready to bribe these policemen. My indignation grew whe I listened to Mr. Banerji's detailed accounts. I have asked myself th question if a responsible citizen of Calcutta knew the facts, if they wer facts, in such detail as Mr. Banerji has related to this Council, whethe he would not consider himself morally responsible to prosecute tho men who, he said, had offered bribes. At least that is the duty every citizen. I do not know what Mr. Banerji has done to bring t court all these men who have bribed to his knowledge the policemer The only thing he has done is to bring certain accusations and allega tions here. The matter is not as quite simple as he seems to think (Mr. P. BANERJI: Did you bring any case about solicitation in fron of Whiteaway Laidlaw's?) The case is not quite similar. I did no possess such details as Mr. Banerji seems to do. We consider ourselve the leaders of society and if to our knowledge young men go on offerin bribes to the policemen and we do not do anything, we simply encourag those men to become immoral or unlawful in their conduct.

As to the courts, my friend Rai Bahadur Haridhan Dutt has give a proper answer, but I would like to state further that the men wh preside over the courts are men who are equally honourable as ourselve —very much better I am prepared to say—and to attribute to then partiality or injustice is to say something against ourselves. Mr. Banerji referred to the Presidency Magistrates and he wanted a Barris ter Magistrate. I could not think of anything more lowering of th capacity of the class to which he and I and everybody here belong. (A VOICE: Not everybody.) Probably the question has been asked rightly but I would be prepared to say that they are all honourable men. I cannot certainly support the motion in these circumstances until Mr. Banerji and his friends are prepared to start a public agitation agains the men who offer bribes. I personally am not prepared to give an importance whatsoever to complaints against policemen. Mr. Banerji is as much responsible for these things as the Hon'ble Mr. Prentice is. Mr. Prentice represents the Government side and Mr. Banerji and we all represent the people's side. Mr. Prentice may well defend the policemen; but we are guardians of the people and it is for us to agitate so that our people may not so demoralise themselves as to offer bribes to the policemen. With these words I oppose the motion.

Maulvi ABUL KASEM: Mr. President, Sir, I was a little amused at the speeches that were delivered on this subject this afternoon. I never thought that Mr. Banerji, when he moved this resolution, was very serious in his statements against the police and I was surprised that Rai Bahadur Haridhan Dutt should have taken him so seriously as to answer him categorically both from personal experience and also from knowledge otherwise gained. Nobody can deny that there is some amount of corruption in the police force; but that is neither peculiar to this country nor to the Police Department alone. There is corruption in every walk of life, and so far as I am concerned, I think it does not lie in my mouth as a member of this Council to talk of corruption. Sir, since the inauguration of this Council in 1921, whether we admit it or not, corruption has been in force in this Council——

Mr. PRESIDENT: I will not allow you to commit suicide in this House I take serious objection to what you have said.

Maulvi ABUL KASEM: I bow down to your ruling; but I thought everybody knew it.

Mr. PRESIDENT: Order, order.

Maulvi ABUL KASEM: But I submit, Sir, that to choose the traffic police of Calcutta for special subject of attack is not fair. The traffic police carry out their work under very difficult circumstances and they are sometimes put to serious trouble. Once I had a talk with Sir Charles Tegart, who brought certain people from England to train up the traffic police. I said, "don't you think it would be more economical to bring some constables from the London Police, because in a city like London where traffic is so heavy one constable deals with traffic more efficiently than half a dozen men here?" He replied, " your suggestion is no doubt good, but it is impracticable, because the citizens of London are very law-abiding and the raising of a finger will make all traffic stop in a moment, whereas in Calcutta it will require physical force to do so." Why are our public services corrupt? Because we people want to gain advantage over others and that by underhand means, and, therefore, temptation is thrown in the way of the officers and sometimes they succumb to these temptations. The proper thing will be if we people decide to ostracise those who offer bribes, because offering bribes is much an offence as receiving bribes.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I cannot say that I support Mr. Banerji in all his sweeping allegations, but at the same time I do not think that there is any member of this House who can honestly say that there is not a great deal of corruption. With that mass of corruption before us what is the attitude we should take up

towards the problem? I know it is a very difficult problem to deal with. I know it is very largely due to the character of our people. But that, I submit, is no excuse for our adopting a Pecksniffian attitude such as Mr. Nag has shown, towards this problem. We are here not concerned with the character of the people. You cannot improve the character of the people by any act of the legislature or by any administrative actions which Mr. Prentice may take. That is altogether irrelevant. But can we not attack the problem from the other side and show all the vigour and enthusiasm that we ought to show for the purpose of eradicating this evil? That is the question at issue. It will not do to simply rise and pretend to express your supreme moral indignation against all these things and to pretend that there are no such things in the world: that they are all in your imagination. You have got to face facts and you know that there are considerable abuses. If there is nothing more to be done than what we are doing, then we ought to acknowledge it—not with any pride but with the utmost humiliation. But if there is something else to be done, we must take every step possible to find out the means for doing away with this evil. That is the attitude with which this problem should be tackled. We do not improve matters by attacking each other. When a man has the hardihood to bring a matter like this before the House, then you will not improve matters by simply attacking his moral fibre and moral character in not rising up and offering himself as a sacrifice. I hope that this Council will approach this question, which is a wider question as my friend Munindra Deb Rai Mahasai has said, with that care it requires, and should recognise that this is an evil which has got to be faced and eradicated.

Mr. R. N. REID: Mr. President, Sir, the hon'ble member whose motion initiated this discussion exhorted the Hon'ble Members of Government to adopt the method of the famous Harun-al Rashid and go about in disguise to discover the extent of the corruption. It seemed to me when I listened to Rai Mahasai's speech why he did not adopt that method of investigation himself. The vagueness of his allegations made this clear. But would it not be a good thing for the Rai Mahasai to adopt the method of the Caliph and go about in disguise himself and then tell us the results? I think he will not find any difficulty in thinking out some suitable disguise: he might select the garb of a frontier Pathan, or he might appear in the streets of Calcutta as a Tibetan come to see the sights of Calcutta, or perhaps a Chota Nagpur cooly in his simple home spun with a red necklace round his neck and a bow and an arrow in his hands. Then on some dreary afternoon we would be enlivened by the Rai Mahasai's adventures. This matter of corruption, however, is not one which Government wants to treat lightly. The superior officers of the police regard it seriously and I do not think that any officer of the police who is caught out in taking bribes

would receive any sort of mercy, he is dismissed without the smallest hesitation. That corruption does exist it would be foolish to deny. The extent of the corruption, as it appears from the speeches of to-day, is a matter of opinion. Some say that it is worse than before; the Rai Bahadur says that it is better than before. Anyhow, the Government regards it with the utmost aversion and its officers have very definite instructions to deal with it very seriously whenever it occurs, but as one member has pointed out, the remedy lies with the public themselves. If the public are not prepared to take the trouble because they do not wish to have the harassment or difficulty they may be put to in bringing such matters to the notice of the superior officers, if for these reasons they give money, they are to blame themselves. Mr. Banerji's speech was very much of the kind of which we have too frequent experience. He made a great show of giving specific instances, but they amount to very little when we come to analyse them. It reminded me very much of the stuff he treated us to not so very long ago when he spoke about the atrocities in Midnapore- allegations which he never attempted to substantiate outside the House. I tried to get from him the details about four months ago so that we could make inquiries, but I never received them. He said very much the same sort of thing and it was astounding to me——

Mr. P. BANERJI: I have got the whole correspondence with me and I can prove them. I contradict him, Sir.

Mr. R. N. REID: I was saying, Sir, that it was astounding to me that a gentleman, a member of this House, was able to come to this House and make a speech dealing with all these——

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir. Will you allow us to discuss the correspondence on that subject?

Mr. PRESIDENT: I do not like that that matter should be brought in. Mr. Reid need not labour that point.

Mr. R. N. REID: I was referring to Mr. Banerji's remarks in connection with the traffic police. I understand that the subject under discussion is traffic police. My point was this that it was apparent from Mr. Banerji's speech that he had a fairly intimate acquaintance at any rate with one aspect of traffic in Calcutta, that is to say, the bus traffic, and he gave us to understand that he had also a very intimate knowledge of the way in which the police exercise undue influence with a view to lining their pockets on that particular kind of traffic, and the point I was going to make was that it was astounding to me that a gentleman who knows so much about abuses and corruption has never yet attempted to bring any of the receivers of bribes to court or to complain to the superior officers or to ventilate it in any other way until he

comes here and makes a speech. I do not say that there is no truth in what he says; far from it; but I say that it does not help towards the elimination of the corruption to leave the matter until it is brought to the floor of this House. As I said before, Sir, Government is alive to the evil of corruption. That it goes on we know, but we do believe that it is not as bad as it used to be. With this assurance I think these motions should be rejected.

The motions of Munindra Deb Rai Mahasai and Mr. P. Banerji were then put and lost.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 33,63,000 under the head "26A—Presidency Police—Calcutta Police" be reduced by Rs. 100 (to discuss unrestricted gambling in the carnivals). Sir, last year at about this time a similar motion was carried in this House. But what has been the result? Gambling is going on in the carnivals as merrily as ever. The Corporation of Calcutta raised its voice against license being freely given by the police, but it appears to have little effect. The people are in dire distress. They cannot make two ends meet. The less the money, the greater is the desire to get money by gambling and wagering. They stake their little earning to become richer when they get into the carnivals attracted like insects by dazzling lights, but they come out poorer with empty pockets than when they went in. This is a matter of daily occurrence. Recently the number of carnivals shows have decreased in the city, but they are on the increase in urban areas. Some of the carnivals have become perfect nuisances Anglo-Indian dancing girls have been introduced in some of them to attract people to the carnivals where gambling goes on in full swing. The police are very liberal in the issue of licenses to these gamblers. The reason is not far to seek. The less said, the better. The ever-increasing cost on the police is, I think, not sufficient to satisfy their greed for money. The more, the merrier. Will not the Hon'ble Mr. Prentice, the police chief, restrain the greed of his pet children by putting a stop to the issue of further licenses and save the people from being ruined morally and financially?

With these few words, I commend my motion to the acceptance of this House.

Rai Bahadur KESHAB CHANDRA BANERJI: As an occasional visitor to this great city, I can say from my personal experience and knowledge that the nuisance complained of by Rai Mahasai is a real one. It appears that the evil is growing apace and in recent times it has assumed such proportions as to call for immediate action on the part of Government. The question, therefore, is one that should not be treated lightly and measures must be adopted to check the evil at a very early date. These carnivals are a source of great attraction to

the younger section of the people. The open and unrestricted exhibition of dancing girls produces a bad effect in the minds of our young men and I hope the Hon'ble Member will kindly take note of it and take steps to stop the immoral shows which form an integral part of these carnivals.

With these words, I support the motion.

The Hon'ble Mr. W. D. R. PRENTICE: I am well aware that this question of gambling in carnivals is one in which the Council takes a considerable interest. We had a discussion on it last year and I explained to the Council the state of affairs then. I promised then that we would consider the question as to how we could further check it. From the executive point of view we issued orders to the police in Calcutta and the *mufassal* to do all that they could to put a stop to it, and as far as I am aware, these orders have been carried out. The Rai Mahasai, imitating Mr. P. Banerji, made the usual general accusation that the police are corrupt and doing nothing. He also referred to the remark of the Calcutta Corporation that the Commissioner of Police did not support the Corporation in their efforts to put down gambling. As I said in answer to a question on this subject, we have asked the Calcutta Corporation to state the occasions upon which the Commissioner of Police had refused to assist them, and so far we have not had any reply. The Commissioner of Police states that on no occasion on which the assistance of the police has been asked for, has it been refused. And until the Corporation can state the incidents to which they referred, it is impossible for Government to make any further inquiries.

Rai Bahadur Dr. HARIDHAN DUTT: May I ask whether any correspondence passed between the Commissioner of Police and the Chief Executive Officer?

The Hon'ble Mr. W. D. R. PRENTICE: I am not aware. We wrote to the Calcutta Corporation and asked them to state the facts; Government have received no reply, and until they reply, we can do nothing.

Rai Bahadur Dr. HARIDHAN DUTT: My information from the Chief Executive Officer is altogether different.

The Hon'ble Mr. W. D. R. PRENTICE: If the Chief Executive Officer will answer the Government letter, we will go into the matter.

On the general question we consulted the Commissioners of Divisions and the Commissioner of Police regarding the necessity for legislation, and what their proposals were. We have got certain proposals which are under examination. But the matter is very difficult. After

all, what is gambling? While we were considering this, there was a decision in the High Court which declared that the game in which probably more money is lost than in anything else, is not an offence, it is not gambling. So we have obviously to try and invest a definition which will prevent that game being played. From another point of view, there was also a decision in the High Court that upheld the view that the Corporation had power to license carnivals and to refuse licenses. That means that whatever legislation we bring forward, has got to have regard to the powers of the Corporation. Well, there is also the consideration that we have got to legislate not only for Calcutta, but also for Howrah, and the rest of the *mufassal*. There are two Police Acts for Calcutta, there is the Howrah Act and there is other legislation, such as the Gambling Act which is affected. We have five Acts in all which have to be amended, and the length we have gone is that a draft has been prepared for amending these Acts, and the file has been sent to the Legislative Department in order that we might have a consolidated Act to deal with the whole question. Government have taken this matter up, and I am hopeful that we shall be able to introduce a Bill next session to deal with what admittedly is a scandal, with which we cannot adequately deal under the present law.

In view of this statement, I hope the mover will withdraw his motion.

The motion of Munindra Deb Rai Mahasai was then, by leave of the House, withdrawn.

Haji BADI AHMED CHOWDHURY: I beg to move that the demand of Rs. 33,63,000 under the head "26A—Presidency Police" be reduced by Rs. 100 (to increase the number of Mussalman officers in the department).

The member spoke in Bengali in support of his motion. The following is a translation of his speech:—

"Sir, in moving a token cut of Rs. 100 from the demand of Rs. 33,66,000 under the head 'Police' I urge an increase in the number of Moslem officers in the Police Department. Their number is very few in all the branches of this department—from the highest to the lowest. In certain ranks there are no Moslems at all.

Moslems constitute the major part of Bengal's population. Should not Government grant equal rights of appointment to all castes, in proportion to population?

A review of a list giving the number of posts in the Police Department and also of officers, distributed according to creed, will convince you that so long Government have done injustice to Moslems. Some of you may be offended at this. But the truth, though harsh to the ear, is not really offensive. For, so long, the Hindus have enjoyed a

monopoly to the deprivation of Moslems. What is the harm, if they are now given their rights?

I now read out the list. Please note the numbers.

(1) Inspector-General of Police—1: European.

(2) Deputy Inspector-General of Police—6: European—5, Hindu—1, Moslem—Nil.

(3) Superintendent of Police—52: European—46, Hindu—4, Moslem—2.

(4) Officiating Superintendent of Police—20: European—10, Hindu—7, Moslem—3.

(5) Assistant Superintendent of Police—39: European—21, Hindu—10, Moslem—8.

(6) Deputy Superintendent of Police—25: European—2, Hindu—17, Moslem—6.

(7) Officiating Deputy Superintendent of Police—25: European—1, Hindu—22, Moslem—2.

(8) Inspector of Police—255: European—29, Hindu—195, Moslem—31.

(9) Commissioner of Police, Calcutta—1: European.

(10) Deputy Commissioner of Police—7: European—6, Hindu—1, Moslem—Nil.

(11) Assistant Commissioner of Police—9: European—3, Hindu—5, Moslem—1.

Besides this, the number of Moslem officers in the Criminal Investigation Department also is very limited. In lower ranks, i.e., sub-inspector of police, assistant sub-inspector of police and constable, Moslem employees are few.

In these circumstances, Government should suspend recruitment from other communities so long as the number of Moslem officers do not come up to their proportion of the population. I hope that the Hon'ble Member in charge of the Police will take the necessary steps for this purpose. I hope also that other members will support my resolution in the interests of justice."

Mr. A. F. M. ABDUR-RAHMAN: I rise to support the motion just moved by my friend Haji Badi Ahmed Chowdhury. Let us analyse the expenditure under the head "Presidency Police" better known as the Calcutta Police and find out what proportion the Mussalmans are getting out of it in the shape of appointment. From the annual report of the Police Administration of the town of Calcutta and its suburbs for the year 1931 it appears that there were 8 Deputy Commissioners, but no Mussalman officer was ever appointed to this post. There were 10 Assistant Commissioners and only one of them was a

Muhammadan. Further, there were 66 inspectors of whom only 8 were Mussalmans and there were 111 sub-inspectors of whom only 32 were Mussalmans. In the rank of non-gazetted officers the proportion of Hindus and Mussalmans was 76·48 and 23·82 per cent., respectively. Coming to the rank of assistant sub-inspectors, head constables and constables together, we find the proportion of Hindus and Mussalmans 75·61 and 24·38 per cent., respectively. I have given the figures for the year 1931, but I am sure the position has not changed very much ever since. The other day I put questions to the Hon'ble Member in charge of the Police Department as to the number of promotions of Assistant sub-inspectors to the rank of sub-inspectors and literate constables to the rank of assistant sub-inspectors in the Calcutta Police since 1930. The Hon'ble Member replied that the number of assistant sub-inspectors promoted was 5 and all of whom were Hindus and as to the number of literate constables promoted, 16 were Hindus and 7 Mussalmans. So from the figures given it appears that Mussalmans are not getting their legitimate share of appointments in the Calcutta Police in its different branches.

Nowadays there is no dearth of qualified Mussalman candidates for the Calcutta Police. I hope the Hon'ble Member will very kindly issue instructions to all the recruiting authorities of the different branches of the Calcutta Police to consider the claim of qualified Mussalman candidates when future appointments are made and the question of promotions is considered. In conclusion, I would like to point out that it is a cry among some of my friends of other communities that Government appointments are being lavishly given to Mussalmans. Such talk is based on mere assumption and not on facts and figures. Although a few appointments are being now given to Mussalmans in Government services, their proportion on the whole is still in a negligible minority.

The Hon'ble Mr. W. D. R. PRENTICE: The mover of this motion and Mr. Rahman have taken figures which relate to Calcutta and Bengal, but I propose to confine myself to the figures of the Calcutta Police. I admit perfectly frankly that the position regarding the recruitment of Muhammadans in the Calcutta Police is not satisfactory. There is not the increase in their numbers that we would like to see. The figures that the last speaker gave are practically correct. I have got the figures for 1932 and the number of inspectors is up by 1, the number of sub-inspectors is up by 2, the number of constables is up by 47, so that there is a beginning at the bottom in getting more Muhammadans into the Calcutta Police. But I frankly admit that the rate of increase in the employment of Muhammadans is not the number that Government would like to see.

Mr. P. N. GUHA: Why not?

The Hon'ble Mr. W. D. R. PRENTICE: Why, I am not myself very certain about that. What it really comes to is this. You have got a principle governing promotion, that is that promotion goes on merit alone, and that principle is being followed. Personally I am being driven to the view that too much stress is being laid on merit at the bottom stage. For admittedly in the case of promotions from the rank of constable to assistant sub-inspectors, there are qualified Muhammadans, but the claims of others have been preferred because their merits were higher. I told the Council some time ago, I think it was in answer to a question, or it may have been in a discussion on one of the previous resolutions, that Government were considering generally this question of the appointment of Muhammadans to the various services, and I can assure you that the material is accumulating. Government are not blind to the fact that the Muhammadans do have a justifiable claim to a greater proportion of the appointments, but at the moment it is very difficult to devise principles which can be applied generally. I would only ask the movers of the resolutions to accept my statement that the matter is under the very serious consideration of Government, that we have every sympathy with the desire of the Muhammadans for a larger share of the appointments in the Calcutta Police, and that we are doing all we can to right what we admit at present is not a satisfactory state of affairs. On the basis of that undertaking I would ask the mover to withdraw his motion.

The motion of Haji Badi Ahmed Chowdhury was then, by leave of the House, withdrawn.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 36,000 under the head "26A—Presidency Police—Port Police—Pay of sergeants" be reduced by Rs. 100 (to raise a discussion for Bengalising the Port Police establishment).

The reasons which I advanced in support of a similar motion yesterday apply equally to the motion under discussion. In the matter of appointments of sergeants in the Port Police preference should be given to Bengalees. Given the opportunity, the Bengalees are capable of showing their worth in all walks of life—however strenuous and difficult they may be. They have given abundant proof of their courage and bravery, their grit and determination in the field of battle. The danger of the battle field had no terrors for them. They faced starvation and death to glorify their King and country. The work of the sergeants in a peaceful country is not associated with constant dangers and tribulations as are incidental in the war zone. I can assure the Home Member that if these appointments are made from among Bengalees, the experiment is sure to be crowned with success. Be sincere

and make an honest attempt to encourage the children of the soil to accept these posts and suitable men will not be wanting to fill up the vacancies when they occur. The times have changed. The young men of the *bhadralok* class have realised the dignity of labour. I have seen graduates earning their living by the sale of newspapers. Brahmins and other high castes do not feel any scruple to work in the tanneries. The pay and allowance of sergeants are high enough to attract suitable Bengalees. There would be no dearth of candidates. Pray, make the experiment and success is certain.

Sir, in reply to a similar motion of mine yesterday the Hon'ble Mr. Prentice told us that Calcutta being a cosmopolitan city, they had got to recognise that European sergeants were an essential part of the Calcutta Police. But I think this contention had no applicability with regard to the appointment of European sergeants in the Port Police. Moreover, I am not asking for their wholesale discharge. I want Government to make an experiment when any vacancy occurred by the appointment of suitable Bengalees and to give them a fair trial after they are given the necessary training. Yesterday Mr. Prentice did not give us any indication of his desire to make an experiment by the appointment of Bengalees as sergeants when any vacancy will occur. He wants to keep the post of sergeants as a close preserve for Europeans in which Bengalees will have no admission even if they are qualified for it. This sort of monopoly in the service raises an unpleasant racial question which I do not want to discuss here. But, at the same time I should be failing in my duty as a popular representative if I do not raise my voice against such unfair racial discrimination in matters of appointment in the public service. I vehemently protest against this iniquitous treatment with regard to the children of the soil.

Calcutta is the metropolis of Bengal and is essentially and practically a Bengalee city. Its extensive trade and commerce may have attracted other people to settle here—my Marwari friends have settled here for the sake of business, but that has not made them cease their connection with Merwar. During the last European War when *Emden* appeared in the Bay of Bengal and an attack on Calcutta like Madras was apprehended, a large number of Marwaris left for their homeland with their families and valuables for the sake of their safety. The European merchants are birds of passage—they are not regular settlers —they hoard money and when their bank balances reach a decent figure, they leave this country for good; the Punjabis and other up-country men live in Calcutta for earning-money—they keep close connection with their homeland like the Marwaris—the Chinese shoe-makers are also here for the sake of money. Bengal is the happy hunting ground for all excepting the real children of the soil. Because some people other than the Bengalees live here, Mr. Prentice wants to make out a case for the appointment of European sergeants

to the exclusion of the people of the country. I should like to ask Mr. Prentice one question. If various nationalities live in London for business, would he like to reserve a section of the police for a different nationality—say, French, German or Russian. This very idea, I believe, would be repugnant to him. But here he would look at things with a jaundiced eye. His arguments are fallacious and have failed to convince us about the propriety of reserving these posts for Europeans.

Pray do not trample under foot the Queen's Proclamation—the Magna Charta of our rights and liberties—by making unfair racial discrimination for entrance into the public services of the country. Do you want to treat it as a scrap of paper? In concluding my remarks I think I am justified in quoting a few lines from the Queen's Proclamation which has been subsequently reiterated by her successors, which reads thus:—

"And it is our further will that, so far as may be, our subjects, of whatever race or creed, be freely and impartially admitted to offices in our service the duties of which they may be qualified by their education, ability, and integrity duly to discharge."

Mr. Prentice as a servant of the Crown should have faithfully carried out the Royal wishes conveyed through the Proclamation. It would be doing a positive disservice to Royalty to ignore and act contrary to Royal pledges by making unfair racial discriminations in appointments to the public services of Bengal. There is not a word in the Royal Proclamation to make differential treatment in the matter of appointments or to create monopolies of certain services for the white people to look after the administration of cosmopolitan cities. In Madras and Colombo there are commercial houses, belonging to Europeans and other nationalities, but there has not arisen any cause for the appointment of white sergeants in those cities and I fail to understand why an exception should be made in the case of Calcutta. Do you consider us to be minors or so many fools to be befooled by mere jugglery of words and phrases? We had enough of such things. Although your term of service is about to terminate, you are yet to learn the A. B. C. of administration of an alien people. You can befool us once or twice but not always.

Mr. SHANTI SHEKHARESWAR RAY: I support my friend the Rai Mahasai on more or less the same ground on which I supported his motion about the appointment of Bengalees as sergeants in the Calcutta Police. I know, Sir, that it is very desirable that we should not always place too much stress on the question of the provincialisation of the services, but it seems that there is no other alternative left to us in view of the existing condition of things. I know, Sir, that we need not go back to the Queen's Proclamation. Even under the

existing constitution as governed by the Government of India Act, the Government of Bengal are entitled to appoint any one they please provided he is a British subject. It is distinctly laid down that in the matter of appointments there should not be any distinction either of caste, creed or anything of that sort. Any person, whether he comes from the Punjab or from Madras, can certainly be appointed by the Government of Bengal for service in Bengal. As a matter of fact, while I was in Orissa for years together, I always raised this point of view that Bengalees, simply because they did not happen to be the children of the province of Bihar and Orissa, should not be debarred from service in that province. But the Government of Bihar, and I believe all Local Governments, have had to succumb to the agitation on the part of the people of the provinces concerned and have departed from the salutary provision in the Government of India Act. They have practically surrendered to the popular cry in those places and in making appointments they do not go beyond their province as a rule. If you scan the advertisement columns of newspapers, you will find that none but Biharis or persons domiciled in that province need apply for appointment, under that Government. When the Government of a neighbouring province have accepted that principle in defiance of the provisions of the Government of India Act, what remedy have we got but to ask the Government of Bengal to retaliate by accepting a similar principle so far as appointments in Bengal are concerned? As an Indian nationalist I should like to see all appointments thrown open to all persons in India or for the matter of that to all British subjects. If, however, we depart from this salutary principle, why should the Bengalees alone suffer? Bengalees outside Bengal have practically been driven out from all avenues of employment under the gift of Government. It is with a view to securing a change of mentality with regard to this principle of appointment in other provinces that I support this motion and insist on the appointment of Bengalees as far as possible in the services under the Government of Bengal.

(At this stage the Council was adjourned for 15 minutes for prayer.)

(After adjournment.)

Dr. NARESH CHANDRA SEN GUPTA: Sir, I only want to protest against the use by Munindra Deb Rai Mahasai of an expression which has acquired a technical meaning. He was talking about racial discrimination. It is entirely a bad thing as has been found by the three Round Table Conferences. But the racial discrimination which is bad is that against Europeans and not that against the children of the soil.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, I heard a gasp go round the Council when the Rai Mahasai described Calcutta as

essentially a Bengalee city. Yesterday another member of the House explained to us in detail that Bengalees get very little out of Calcutta. Yesterday the Council—I may put it that way—swallowed the camel of the whole sergeants' establishment for the Calcutta Police without a division, now it is straining at the gnat of the sergeants' establishment of the Port Police, although there is no special recruitment for the Port Police which is a branch of the Calcutta Police force, and the whole establishment of the sergeants which has already been accepted by the Council includes the port. If members will look at page 174 of the Budget, they will see that the number of sergeants in the port last year was 15, this year it is 14. I need not repeat all that was said yesterday on the general question, but I would ask the Council whether if the arguments that they accepted yesterday as to the necessity of having sergeants in Calcutta apply generally, they do not apply with more force to the most cosmopolitan part of the city, namely, the port, where you have steamers of all nationalities coming in from all parts of the world. Surely that is one part of the police work in Calcutta where indubitably sergeants are required. The Rai Mahasai again stressed the fact that in Madras and Colombo he had seen no European sergeants. I do not know anything about these places: if he had told me before, I would have looked their figures up. What he never mentioned was whether there are sergeants in Bombay, which is a place very similar to Calcutta, requiring similar police arrangements. I suggest that the Council having accepted the whole force of sergeants yesterday should also accept this portion of the force which is required indubitably for the most cosmopolitan part of the city, namely, the port.

The motion of Munindra Deb Rai Mahasai was then put and lost.

Babu AMULYADHAN RAY: I beg to move that the demand of Rs. 43,08,000 under the head "26A—Presidency Police" be reduced by Rs. 100 (want of representation of the depressed classes in Presidency Police).

Sir, like Mr. J. L. Bannerjee's unfounded charge of communal bias levelled against our Hon'ble friend Mr. Nazimuddin, in spite of the fact that out of 12 appointments 9 have been appointed from the Hindus during the years 1931-33, I will not charge the Hon'ble Home Member in that way. But I shall draw his attention to the injustice done to the half of the entire Hindu population of the province. The scheduled castes of Bengal, hitherto known as the depressed classes, have been claiming, not as a favour but as a right, their due share in the public services of the province. But the authorities have not yet laid down a definite policy with regard to the appointment of the depressed classes on their population basis. I ask the Hon'ble Mr. Prentice whether nothing will be done as a matter

of policy for the appointment of depressed classes according to their population ratio. Leaving aside our legitimate claim to appointments in public services, I rely on the statement of Mr. Prentice. The Hon'ble Mr. Prentice said last year that under the present rule 10 per cent. of the appointments or a minimum of one appointment has been reserved for the depressed classes. Now, Sir,——

The Hon'ble Mr. W. D. R. PRENTICE: May I ask if that was in connection with the Calcutta Police?

Babu AMULYADHAN RAY: No, Sir. He said this in reply to a motion of Mr. Bal in connection with appointments in the Private Secretary's office. The result is the same: that is the general rule. The Hon'ble Member did not mention that that particular rule only applied to the Private Secretary's office. But we are assured that there was a general rule reserving appointments for the depressed classes. Now, Sir, we find that there are 56 inspectors, 100 sub-inspectors, 484 assistant sub-inspectors and 3,476 constables. May I inquire from Mr. Prentice whether this rule has at all been followed at the time of the appointment of sub-inspectors, assistant sub-inspectors and constables? Let us take last year's case alone. As far as I know, these appointments were made in the Calcutta Police and we had three graduate candidates, all possessing very good qualifications, but without the qualification of having any one to push their claim, and ultimately none of them were appointed. Then, Sir, as regards the appointment of clerks in the establishment of the Presidency Police. I take my stand on the circular issued on the 28th April, 1931. The circular says that it is applicable to all departments of Government. Now, Sir, we find that there are 118 clerks in the establishment and I wish to know from the Hon'ble Member whether from the date on which the circular was issued up to the present moment it has been followed at all. Sir, to say in a word the whole Calcutta Police like the other departments of Government are not at all represented by the members of the scheduled castes and I would request the Hon'ble Member to take immediate and necessary action to secure proper representation for them, as at present we have no dearth of suitable candidates. With these few words I commend my motion to the acceptance of the House.

Babu LALIT KUMAR BAL: Mr. President, Sir, I beg to support the motion moved by my friend Mr. Amulyadhan Ray. Year afer year number of appointments are being made in the Presidency Police as sub-inspectors, assistant sub-inspectors and constables; but we are surprised to find that none of them falls to the lot of depressed class candidates. The depressed classes of Bengal form fifty per cent. of the entire Hindu population of the province and it is really regrettable

that the claims of these classes forming such a vast community in Bengal have all along been overlooked in spite of the fact that their representatives in the Council have been systematically and emphatically putting forward their claims before the Government. There is no dearth of qualified candidates among the depressed classes and it is only just and reasonable that the Government should give due consideration to their legitimate claims and give them appointments in this department in proportion to their numerical strength in this province. With these few words I beg to support this motion.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, it is very difficult to deal with a matter like this without unintentionally hurting people's feelings. The mover of the motion referred to what I said last year. But surely if he was arguing from that speech in support of a claim to appointments in the executive branch of the police force, he was arguing wrongly, because the circular he quoted deals with the question of recruitment of members of the backward classes to ministerial posts under Government. It has nothing to do with the appointment of executive members of the Calcutta Police force or elsewhere. They are not ministerial appointments. I think the representatives of the depressed classes—scheduled castes as they now ought to be called,—are making a mistake in pressing their claims in connection with appointments in the Calcutta Police. For what proportion of the population of Calcutta belongs to the scheduled castes? Not very large, I think, and I am not giving away a secret when I say that the representatives of the scheduled castes in connection with their representation in the future Council have recognised that the number of residents in the urban areas belonging to the scheduled castes are not sufficient to justify their asking for any representatives from those areas. They have in that connection practically admitted that their interests are outside the towns, and now to come along and say that Government are not dealing with them fairly because they do not make special arrangements to recruit a certain number of them for the Calcutta Police is, I think, a mistaken policy. For their claim on the basis of population to form a part of the police force in Calcutta is not very great. On the other hand, as I explained, I think, last year, unfortunately owing to circumstances over which Government have no control, it is very difficult to arrange for members of those castes to form a part of one composite force such as the Calcutta Police is. It means additional cooking arrangements in buildings where we have no room, and administrative difficulties of which probably the mover of the motion is not cognisant. So much for the executive side.

With regard to the ministerial side, the clerical staff, that circular applies, but obviously if the number of scheduled castes in Calcutta is as small as I have indicated, their claims to a percentage of posts

in those special offices are also small. As I stated in reply to a question or resolution some time ago, we get figures periodically each year from the districts about the progress made in recruiting ministerial officers from the scheduled castes. At the end of this year when the returns come in, I shall examine them and see what number of appointments has been made to the Calcutta Police and whether there is any indication that the circular has not been followed either in Calcutta or elsewhere. But from the antecedent facts of the case the chances of members of the scheduled castes getting appointments in the ministerial offices in the Calcutta Police are small, not because Government is not backing up the policy of treating them fairly,—they are doing their best—but because Government ask them to restrict their claims to places where they have good grounds for claims.

Dr. NARESH CHANDRA SEN GUPTA: On a point of order, Sir. Is the Hon'ble Member in order in referring to these two gentlemen as representatives of the depressed classes in this Council? There is no representative of the depressed classes in this Council. These two particular gentlemen were elected from non-Muhammadan constituencies.

Mr. PRESIDENT: I am not responsible for what the Hon'ble Member said; the responsibility rests on his own shoulder.

The Hon'ble Mr. W. D. R. PRENTICE: I stand corrected and say that they are members of the depressed classes who have been elected from non-Muhammadan constituencies.

The motion of Babu Amulyadhan Ray was then, by leave of the House, withdrawn.

Mr. J. N. GUPTA: I beg to move that the demand of Rs. 43,08,000 under the head "26A—Presidency Police" be reduced by Rs. 10 (to draw attention to the failure of Government to give effect to the recommendation of the Retrenchment Committee for the reorganisation of the Calcutta Police effecting an anuual economy of three lakhs of rupees).

Sir, in bringing this motion before the House I do not think it is necessary for me to submit again the contentions which I have so often placed before the House about the great need that there is in Bengal for retrenchment in every direction. Sir, although a very prosperous and rich province unfortunately under the financial arrangement to which it has had to submit, the revenue resources left to it have for decades past been very small. It has just been possible to carry on the reserved departments of the administration and the nation-building department have had to be neglected and greatly starved.

It is also a well-known fact that the Police Department engrosses more than one-fourth of the revenues of the province. Therefore, if there is to be retrenchment at all in the province, it is very necessary that we should carefully examine whether there is any scope for economy in this department. I have no doubt that in appointing the Retrenchment Committee and selecting its personnel Government fully realised the importance of selecting such men as will make recommendations after mature consideration of the difficulties of the situation and the special conditions of the province at the present time. I take it, therefore, that the recommendations for retrenchment made by the last committee in the Police Department have been made after very careful consideration. A perusal of the recommendations of the Retrenchment Committee at once supports this contention. The present motion refers only to the Calcutta Police. The Committee have emphasised that they are fully aware of the special difficulties of the work of the police in Calcutta and, therefore, they have made every allowance for the scale and pay and the strength of the staff that is necessary to carry on the arduous work of the police in Calcutta, which has been made specially arduous in these difficult times. I, therefore, expected that the recommendations of that committee which was presided over by one of the most senior officers of the Indian Civil Service should have received greater attention from Government than they seem to have. A perusal of the recommendations in this part of the report will show that the committee's recommendations fall mainly under two heads. They recommend that there should be a reorganisation of the superior staff by which the duties which are carried on by a Deputy Commissioner might be carried on by an Assistant Commissioner and the duties carried on by an inspector might be carried on by a sub-inspector and so forth. They have thus made no drastic recommendations. They have confined themselves to limits which they consider to be absolutely safe. As regards reorganisation, they say that even after making allowance for the difficulties in Calcutta they consider that some of the work which is done at present by Deputy Commissioners, Assistant Commissioners and inspectors can be entrusted to officers of the next lower rank, namely, Assistant Commissioners, inspectors and sub-inspectors. Similarly about the investigating centres, they have taken into account the criminality and area of the city and other existing difficulties and they came to the conclusion that the number of centres could be reduced from 26 to 20. There are other minor recommendations, with which I do not wish to weary the House, about the armed police, the sergeants, and so forth. The total savings, which they estimated if the recommendations they made were accepted by Government, would come to Rs. 3,65,200. From the note circulated by the Hon'ble the Finance Member I find that the total recommendations which the Government were able to accept effected a saving of about Rs. 21,000 and might

ultimately lead to a saving of Rs. 75,000. I find the unwarrantable allowance granted for Christmas dinner to sergeants and payment of bonuses to recruits on enlistment have now been done away with. This is only proper; as there is no dearth of applicants, no special encouragement is necessary at present by way of grant of a bonus for enlistment to the police force. I submit, Sir, that although some action appears to have been taken, the savings effected by Government are wholly inadequate and show that the Government have not fully realised their responsibility for making strenuous and honest efforts to do what they can to meet the crying needs of this province. It may be a fact, Sir, and we congratulate the Government and the Hon'ble the Finance Member for it that it is almost certain that our revenue resources will be enhanced and that the revenue of the Government of Bengal will probably go up by 3 or 4 crores of rupees under the new Government. But we are aware that the deficits of this province have been on an average about Rs. 2 crores and with all the expenses which the Reforms will entail they are bound to amount to nearly Rs. 3 crores, so that even if our share of the jute tax brings us the amount which we hope that we shall get, even then we shall have a very very small margin which would be quite inadequate to undertake any large schemes for saving the province from gradual decay. I, therefore, ask the Hon'ble Member in charge of the Police Department to carefully consider whether it is not possible for Government to give effect at least to some more of the recommendations which have been made by the Retrenchment Committee. I should have mentioned that I find that Mr. Birkmyre has appended a note of dissent, but I also find that he does not dissent from the main recommendations of his colleagues but only confines his observations to retrenchments not being carried to the same length as the other members of the committee would. He says that the total cadre of inspectors and sub-inspectors should not be reduced by as many as 20. He says that the committee have made somewhat drastic reductions in the number of Deputy and Assistant Commissioners, and he is of opinion that to obtain the best results from the force, both as regards discipline and the effective carrying out of its duties, he considered that they should not take the risk of reducing the investigating officers to such a very great extent. It clearly shows that he accepts the recommendations of his colleagues as regards the reorganisation of the department and by getting officers of a lower rank to carry on the duties which are now being carried on by more highly paid officers of a higher rank. For all these reasons I think it is absolutely essential that Government should make strenuous and earnest effort to grapple with the problem and hand over the province to the future Government in a financially solvent condition. I hope that the Hon'ble Mr. Prentice will realise that finance being the pivot of everything, the wheels of administration are not likely to run smoothly by exclusive attention to law and order

only. If there is no money to carry on the administration, the machine of the administration must come to a halt. I, therefore, beseech him to approach this question with that care and with that courage which the circumstances of the case demand.

Mr. NARENDRA KUMAR BASU: In rising to support this motion I shall approach this question from slightly different point of view from that which Mr. Gupta has attempted. Sir, it is not unknown to the members of this House that the total population of Calcutta is in the neighbourhood of 11 lakhs—man, woman and child. I find from the Green Book at page 170 that the total cost of the Presidency Police is about Rs. 44 lakhs, that is to say, four rupees per head for every man, woman and child of the population. That in itself is a sufficiently striking figure. Coming to the Retrenchment Committee's report, as Mr. Gupta has pointed out, the total reductions recommended by that committee under Presidency Police was Rs. 3,65,200 out of which there is this note of the Finance Department—the total reductions made and included in the present budget is Rs. 21,650, but out of this sum Rs. 15,400 is for contingencies. Therefore, according to the Finance Department note, the recommendations really accepted are Rs. 6,250 out of Rs. 3,65,000, and if you take the ultimate saving, it will come up to about Rs. 38,000 altogether. That, I submit, Sir, is but a very paltry sum to accept out of the figure of Rs. 3,65,000. Then again you will find that it has been suggested in the Red Book, page 63, and reiterated several times that the expenditure on the police had been reduced and that not only by this Rs. 6,000 that I have just pointed out from the Financial Statement; but if you turn to the Green Book, page 170, you will find that whereas this year's total budget was Rs. 44,33,000, and the revised estimate was Rs. 43,76,000, the budget for the next year is Rs. 44,34,000. That is the sort of reduction that we have got. In spite of the reduction of Rs. 6,000 said to have been accepted on account of the recommendations of the Retrenchment Committee, the budget is actually higher than what it was in the present year. Sir, we have been told, and I do not remember whether that has been stated in this House, but we have read it in the newspapers and elsewhere as having been said in the Legislative Assembly as well as in Parliament—we have been assured that the non-co-operation movement was well in hand of the Government and was not much in evidence. But if you turn to page 63 of the Red Book, under Presidency Police the increase in the next year's estimate is due partly to the withdrawal of the emergency cut in salary and partly for the provision of new expenditure of a temporary character on account of the staff required to cope with the present political situation, and if you turn to page 171 of the Green Book, you will find the expenses for the temporary staff—officers and establishment—asked for is over Rs. 40,000. Well, Sir,

that is the sort of a lull in the non-co-operation movement for which the Secretary of State and the Government of India have been patting themselves on the back. Whereas the budget for the temporary establishment was in the neighbourhood of Rs. 15,000 in 1932-33, the budget for the next year is Rs. 40,000, that is, more than double the amount. Therefore, all this vaunted retrenchment and curtailment of expenditure under Police is certainly—to use a very unparliamentary expression—pure bunkum. We have been treated to this sort of talk about reductions in many other parts of the budget, but this is one which is glaring and strikes one in the face. I submit, Sir, this is neither fair nor honest to talk of reduction of expenditure and to talk of honest efforts to reduce expenditure in the hugest spending department of the Government which spends over two crores of rupees, and specially on Presidency Police which, as I have already shown, costs more than four rupees for every member of the population of Calcutta, and if you take only the adult population, probably about Rs. 7 or 8 per head. I submit that Government should certainly take steps to reduce this huge expenditure without any further delay.

The Hon'ble Mr. W. D. R. PRENTICE: It has been hinted that Government is not playing the game with the Council in the matter of retrenchment, that while they promised retrenchment, they are actually increasing expendiutre. When I introduced the demand under this head, I pointed out that there were two items which were mainly responsible for the increase, one was increments in the scales of pay, and the second was the temporary force. I have not analysed in detail the figures to which Mr. Basu referred, so I cannot make a definite statement, but I imagine that a considerable part of the increase to which he has referred will be on account of the usual incremental scales of pay. But after all the main thing in connection with this motion of Mr. Gupta is really that the Council want to know how we have treated the recommendations of the Retrenchment Committee regarding the Calcutta Police and I propose, if the Council will bear with me, to go through the paragraphs of the report and to state shortly what has happened. The first recommendation is the reduction of Deputy Commissioners from 10 to 7. The committee made specified recommendations that the Special Branch and Detective Department should be placed under one Deputy Commissioner, and that the work of the Port Police and the Public Vehicles Department should be entrusted to an Assistant Commissioner. Well, I do not wish to say anything critical of the committee, but it seems rather hard that the committee should recommend that the Special Branch and Detective Department should be placed under one Deputy Commissioner at a time when the work of the Special Branch was so heavy that there were two Deputy Commissioners doing that work alone, and an additional Deputy Commissioner

has been sanctioned for this work in the Special Branch. It is physically impossible for one Deputy Commissioner under present conditions to do the work of the Special Branch and the Detective Department, and in support of that fact I would point out that we are satisfied, and were satisfied a year or so ago, that the work of the Special Branch was so heavy that we had to give an additional Deputy Commissioner to help——

Mr. NARENDRA KUMAR BASU: Two Deputy Commissioners for this Branch, to deal with non-co-operation?

The Hon'ble Mr. W. D. R. PRENTICE: The Special Branch does not deal with non-co-operation at all. Non-co-operation is a completely different matter. As Mr. Basu knows, the main problem of the Special Branch is terrorism. It is no use Mr. Basu trying to blind the eyes of the Council to the fact that the Special Branch does not deal with non-co-operation, it deals with terrorism.

I now turn to the recommendation that the Port Police and the Public Vehicles Department should be entrusted to Assistant Commissioners. The Public Vehicles Department is concerned with the collection of the motor vehicles tax under the recent Motor Vehicles Taxation Act, and I believe an undertaking was given when that Bill was passed, that the work would still be controlled by a Deputy Commissioner, or words to that effect. In any case, this proposal of having an Assistant Commissioner in charge of the Motor Vehicles Department concerns the Local Self-Government Department, and that department which is responsible for the working of the Motor Vehicles Taxation Act has raised the strongest possible objection to accepting this recommendation of the Retrenchment Committee. They pointed out that this department was responsible for the collection of very large sums of money, and refused to agree to the acceptance of this recommendation. From the administrative point of view we are satisfied that the Motor Vehicles Department does at present require the attention of a Deputy Commissioner, and we are, therefore, unable to accept that recommendation. As I stated some time ago, it is in the Port Police that we have decided to make an experiment. We have been able to do so owing to the present Deputy Commissioner of Police going on leave and we have decided during his absence to see whether the Port Police can be run by an Assistant Commissioner supposing the Deputy Commissioner in charge of the Detective Department is put in charge of the Port Police. We are making that experiment, and that is the only retrenchment that is being made in the rank of Deputy Commissioners at present. We are convinced that with conditions as they are at present, you cannot safely reduce the number of Deputy Commissioners further, but when normal times return, the question will be reconsidered. That remark applies generally to the recommendations about Assistant Commissioners. As

regards the proposals of the committee to have one Assistant Commissioner in charge of the Northern Division, and another in charge of the Southern Division, and to abolish the two Assistant Commissioners in charge of the suburban areas, these Assistant Commissioners were appointed very many years ago on the reorganisation of the Calcutta Police, and we are satisfied that we cannot, in the interests of the good administration of the police in Calcutta, abolish one of the Assistant Commissioners in either of the divisions.

Mr. J. N. GUPTA: Is it because it has been in force so long?

The Hon'ble Mr. W. D. R. PRENTICE: No, because of the work. The question of inspectors is still under investigation and that remark also applies to the recommendation regarding the number of investigating centres. Obviously you cannot re-arrange the investigating centres in Calcutta, without very careful examination, and that examination is going on. But there is one thing to be remembered in connection with all these recommendations for the abolition of the higher posts, and that is that it is not only abolition of posts, that has to be examined, but also how it will affect the prospects of the people who joined the Calcutta Police with certain expectations. They have accruing rights, and you have got to consider what effect the abolition of the higher posts will have on the occupants of the lower grades.

The question of the investigating inspectors has not yet been decided, but so far we have reduced one inspector in the Hackney Carriage Branch. As regards sergeants, two posts in the Motor Vehicles Branch have been abolished as recommended and the question of rearranging the staff of sergeants is under consideration, but as I pointed out yesterday, we have a considerable force of temporary sergeants in Calcutta, and it is not likely that under the present conditions we shall be able to reduce the staff very greatly. I have not got the figures here, but I do not think people realise the additional work that is thrown on the Calcutta Police at present by the protective arrangements in force. A number of men for whom no substitutes are provided are used for the special protective arrangements necessitated by the present state of affairs. Immediately that state passes, a considerable number of men will be freed for ordinary duties and then perhaps it will be possible to reorganise the force on the lines——

Mr. NARENDRA KUMAR BASU: You mean protective duties on offices and buildings?

The Hon'ble Mr. W. D. R. PRENTICE: Yes, offices and buildings.

Mr. NARENDRA KUMAR BASU: Not the emigrants?

The Hon'ble Mr. W. D. R. PRENTICE: No.

As regards uniforms, the free supply of certain blue uniforms has been discontinued and the grant for the supply of ordinary uniforms has been curtailed and the Commissioner of Police is going into the question of contract rates and endeavouring to cut down the contract rates as low as possible.

As regards the Police Training School, the reduction recommended has been accepted and, as recommended, we have debited a portion of the pay for the staff maintained for the stores to the profits of the store.

The recommendation as regards the rescue homes we have not been able to accept, because it is impossible to provide for these girls at a lower rate. These are the rates that are charged and it is not in our hands to cut them down.

The recommendation regarding the armed police we have rejected definitely because it proceeds on false premises. The force of the Eastern Frontier Rifles is a force for the *mufassal* of Bengal, and it was never established with the idea of its being available for service in Calcutta under the same condition as in Bengal. Detachments from it are posted to Calcutta when the force does not happen to be required in the *mufassal*, but if there is trouble in the *mufassal* that necessitates the despatch of the Eastern Frontier Rifles to any area, then *mufassal* has a prior claim and Calcutta may be left unprotected. In these circumstances, we are not able to dispense with the services of the additional company of the armed police. The agreement referred to in the report on the part of the Commissioner of Police was given under an entire misunderstanding of the conditions governing the employment of the Eastern Frontier Rifles in Calcutta.

The recommendations regarding the ministerial staff in the Public Vehicles Department and the bonus to recruits have been accepted.

The result is that so far the retrenchments made amount to Rs. 57,731 and presumably when the final decision is reached on the other major schemes, that figure will increase, but I can hold out no hope that the retrenchments will be as large as that recommended by the Retrenchment Committee. What I do say is that Government are dealing as quickly as possible with the recommendations of the committee, and I think that if any member could see the thickness of the files on each question and read the history of the various appointments, he would realise that the recommendations are not such as can be disposed of any more quickly than is the case.

The motion of Mr. J. N. Gupta was then put and lost.

Mr. C. C. COOPER: I beg to move that the demand of Rs. 43,08,000 under the head "26A—Presidency Police" be reduced by Re. 1 (to discuss traffic arrangements in Calcutta).

I introduce once again the hardy old annual of the traffic control in Calcutta. In so doing it is very difficult to avoid the repetition of previous years, but it is a subject that must be ventilated; otherwise it gets stuck away and there is a chance of its being forgotten by Government. Many people will agree with me in thinking that in the strictest sense and meaning of the words, "traffic control" as applied to Calcutta is a misnomer. It is a remarkable thing that when there is a *golmal* anywhere in Calcutta and the services of the traffic police are required in other directions, the traffic of Calcutta seems to control itself very little worse on its own than it does under the control of the traffic police. At the same time to give the devil his due the police control of traffic in Calcutta has undoubtedly improved, but I think the House will agree with me in thinking that there is still room for considerable improvement.

The subject of the white lines has been ventilated in this House and in the old Council House on several occasions and attention has been drawn to the fact that the rule of the white line is observed more in the breach than in the observance. Neither the police nor the public appear to understand the reason for the white lines. It is a common occurrence for the *paharawalla* on duty to be standing yards in front or yards behind his white lines, but even if he is standing on his white lines, it is quite a common occurrence to see cars pulling up a length or so in front of him, but no *paharawalla* ever thinks of pulling up any traffic which commits such flagrant breach of the rules. If any driver of a car in London attempted to encroach a few inches over the white lines, the traffic police promptly deals with him. If the rule of the white lines is properly observed, it is an undoubted assistance to traffic, but if it is ignored or disregarded or does not receive the attention which it should receive, it only makes the chaos worse confounded. The Hon'ble Member in replying to this question in previous years had promised that he would do his best to get both the police and the public educated up to the use of the white lines. So far I have not seen very much done yet in that direction.

Another flagrant breach of the rules which I have never been able to understand is the way in which whole lines of traffic—buses, cars, taxis, carts, bullock carts, in short everything—is held up and only bicycles are allowed to run past the outstretched arm of the *paharawalla* into the stream of the traffic on the other side. Of course it is difficult for the *paharawalla* to stop the bicycles, they move too fast and they carry no numbers, so that the *paharawalla* cannot take their numbers! The police just grin and say what can we do, so they do nothing! At the same time I have seen several accidents happen on account of bicycles

dashing [illegible] [illegible]ning traffic and causing great confusion. I cannot understand why if every other vehicle in Calcutta has to abide by the rules of the road, why bicycles should not be compelled to do so.

There remains the famous Brooklands of Calcutta—Chowringhee along which buses race at a terrific speed. I do not want to say that it is a common occurrence, but I have seen two huge omnibuses playing polo with each other riding off each other with people inside yelling with joy or fright. Along Chowringhee, every traffic rule known to the traffic police or any other police is flagrantly and openly broken and yet nobody does anything about it and this remark applies to a large extent to the Kidderpore Road. The general belief is that why the police do not enforce law and order on Chowringhee and Kidderpore Road is that they are afraid of a strike among the bus-drivers. Personally I see nothing to be afraid of in a bus strike, because Calcutta would be a much healthier place without the buses and their absence would not cause any undue inconvenience as there are other means by which the public can travel. Leaving this question aside, why should bus-drivers be allowed to be a law unto themselves. The trouble could be checked if traffic control points were established at centres, such as opposite to the U. S. Club, the Army and Navy Stores and other convenient places. The trouble could be checked to a great extent in Chowringhee if the mounted police could be put on a spell of dismounted duty. Everybody knows that the mounted police look very smart when taking their constitutionals on their beautiful horses on the *maidan* and every one likes to look at them, but unless there is a *golmal* or riot or anything of that sort, their services are not required. They do nothing as far as I can see except riding along the *maidan* and watching football, hockey and polo matches and then going home. Some of their number can certainly be spared for dismounted duty and put on to traffic control at central places. They can definitely check the flagrant disregard of all traffic rules that does go on every day, all day and all night. I said last year that the only places where the buses do not stop are the supposed stopping places and an aggravating instance of this is the Dalhousie Square. I particularly mention this because this is a source of annoyance several times in the day. There is a stopping place opposite the General Post Office, but I have seldom seen a bus actually stop there. The buses dash round the corner of the General Post Office into Dalhousie Square at much too fast a pace scattering the traffic in all directions and then speed on until they reach the Holwell Monument when they proceed to slow up or stop in the middle of the road to discharge their passengers. It is perfectly amazing why more accidents do not happen there every day in the week. The buses may drop 20 people at a time and one does not know which way they are going to jump and run! Another bad spot is opposite to Hall & Anderson's. The stopping place is really further up the road in Chowringhee somewhere near Kellner's, but in point of fact the buses make it a point

to stop at the corner by the shop thus causing great inconvenience and increased congestion at an already badly congested spot. Also for the buses proceeding from south to north the stopping place is near Kellner's. I believe they never stop there as they like to stop somewhere opposite Outram Statue. Buses should not be allowed to stop anywhere except at the specially authorised stopping places, but as it is, they stop anywhere as and when it pleases them, generally without giving any sign or notice of their intention to stop!

The Calcutta Police, I believe, brought out an expert from home to investigate and advise them on the question of traffic control in Calcutta. Stopping places were created, but no attempt has ever been made to insist upon the bus-drivers stopping at the authorised stopping places. The nuisance of prowling taxis and hooting of horns still continues, but I think not to the extent it used to be. In that respect I give the police full marks. But in all fairness to the much-abused taxi-*walla* I must say that he is learning his lesson and in these days is not such a nuisance as are many private cars owned by both Europeans and Indians. But the main thing is the lack of control over the buses who are allowed to take the law into their own hands. I would appeal to the Hon'ble Member to try and make another attempt to put right what is undoubtedly a great nuisance.

Mr. P. BANERJI: Sir, in rising to speak on the motion just moved by Mr. Cooper I will just point out that he has suggested or rather complained that the bus-drivers do not stop at the white line. Here also the same argument which I put forward in moving my resolution will apply. You will often notice that these traffic police people are busy talking with somebody, mostly with those urchins, making arrangements how to make money. The difficulty arises because he is not dutiful: it is not known at what time he will raise his finger: therefore the bus-driver who is going along does not know when to stop. Mr. Cooper has no personal knowledge so far as this is concerned, because he never travels in buses but drives along in his own car and his difficulty is that because a bus is ahead, sometimes the traffic is held up and he cannot stand the delay. He suggested that we should do away with the bus system.

Mr. C. C. COOPER: On a point of order, Sir. I did not suggest doing away with the bus system, but for its proper control.

Mr. P. BANERJI: Reading between the lines of his speech I can quite follow what he meant. Anyway, his difficulty was certainly delay on account of the traffic being held up. My point is this. It is due to that corruption to which I referred that traffic is held up and that the man does not raise his finger in time: the driver who is going

along with some force suddenly finds the policeman raising his finger and naturally he cannot stop at once. If he suddenly stops, there is a great jolt and passengers may be hurt. Therefore if you consider the question seriously, you will find that it is not in any way the fault of the bus-driver, but it is the fault of the police, and I still maintain that it is due to that corruption. Sir, I have suggested that the bus-owners have to pay a large amount of money and to-day the business is not a paying proposition. Nobody can maintain that these bus-owners are now prospering. The Khan Bahadur yesterday suggested to do away with this system and to have the old system of tram in its place. I submit that we should not do so. Some day we must have tubes in Calcutta. In London and other places they have buses. Member after member as well as Mr. Cooper has given credit to the police saying that there is much improvement. I do not know what improvement is meant save and except that the department is trying to get the bus-owners out of the way in various directions. If you really want that the buses should continue and that they must be improved, you should move in other directions. Many of the members will agree that there has been a distinct improvement in the bus service since the bus system was introduced in 1925. Therefore with these words I would again request the Hon'ble Member to put a stop to the abuses in the department and not to be so strict as suggested by Mr. Cooper so that the bus system may be done away with to the utter inconvenience of the public.

Dr. NARESH CHANDRA SEN GUPTA: Sir, Mr. Cooper has reiterated more than once that there has been a considerable improvement in the management of the traffic police in recent times and I am afraid, to be perfectly fair, he has to go further than he has gone. Having had occasions at times to visit those very places in Dalhousie Square and Chowringhee in a bus, I may say from personal experience that the bus-drivers are not given to violation of the traffic rules as much as Mr. Cooper would have us believe. Well, the situation has improved to some extent. But there are other aspects in connection with the traffic arrangements in Calcutta to which Mr. Cooper is perhaps a stranger. He was complaining about traffic arrangements in the Chowringhee and Dalhousie Square, where the roads are kept as clear as is ordinarily possible; but perhaps he has never heard of certain streets in the north and south of Calcutta where the roads are intended for anything but traffic. The footpaths are used as drawing rooms and card tables and even they are used as *majlis* for *kirtan* songs. There are a number of roads in Bhowanipore which are impossible on account of numbers of taxis, not waiting for hire, but garaging on the streets, all the time they are not plying for hire. There are a number of buses even waiting there on the streets, not for hire, but they are

being repaired there and [illegible] through the night. On one occasion I had great trouble with two taxi-drivers and two bus-owners who insisted on having their vehicles repaired just in front of my house all through the night. The engines were raced for about 10 hours out of the 12 hours in the night and it was a perfect nuisance. If you go to the streets where there are *bustees*, you will find the roads used for all sorts of purposes except traffic. Have you ever found the police there? They do their duty well enough in the streets about which Mr. Cooper complained; but policemen are not found in the streets I have mentioned and nobody ever takes the trouble to clear the roads. I have never heard about prosecution for obstruction in Bhowanipore. There is a particular place in a small street in which there is a temple in front of which at least on 60 days in the year a *shamiana* is erected; the audience sit on the road and the footpath and *kirtans* and other musical soirees are held there. That is supposed to be a road for people to pass through. The people of the *bustee* squat on the road sometimes on *durries* with perfect ease and comfort and without the least care. Nobody ever brought it into their heads that they were doing something wrong. To add to the trouble a Punjabi restauarnt has been started there: that brings in about a dozen taxis at a time, the drivers of which want refreshments and they are served on the footpath. The whole road is absolutely packed up in that way; no vehicular traffic is possible and you can only walk at great risk. It is not an exaggerated picture that I am drawing. I am afraid, compared with the picture drawn by Mr. Cooper, I think my statement will be an absolute underestimate of the thing. The traffic police have done nothing in those places and if a complaint is to be made, it is not for what they are doing in Chowringhee—they are doing all that they can do there—but what they have failed to do in other places.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I am afraid, I am one of the unfortunate few who do not agree with Mr. P. Banerji. Mr. P. Banerji may have a soft corner in his heart for the bus-owners, but I think that the bus is a positive danger to the passersby. One has to be very circumspect as to whether he will not be run over by a bus. I will narrate an instance of how a bus is driven. I am giving my personal experience. They take their stand at a particular corner where they wait, wait and wait till a tram comes; immediately they see a tram coming, the bus-drivers go forward ahead of the tram. Naturally the passenger who wants to board the tram car finds himself in so narrow a place that it sometimes becomes very difficult for him to escape accident. I have several times noticed that in Russa Road and near about Bhowanipore when one bus starts, another starts immediately behind him with a view to get a start over the former. I do not know whether the buses are really very well built, because

I found the top floors of some of them were rather shaky. Sir, I do not know whether the buses which are particularly high are made at a certain angle, because I find that in certain such buses the top floor is at a wrong angle with the down floor of the bus. Coming to the design of the buses in Calcutta I think that any one with an artistic sense might have drawn a lurid picture not only about the design but about their sanitation, accommodation, etc. There is another matter which, I feel, is whether any arrangement is made by the bus-owners for cleaning the buses and to give them some rest. I think the time has now come when in Calcutta the number of buses plying in certain streets should be fixed. If you allow any number of buses to run in a particular street, the natural tendency on the part of the bus-owners would be to compete with each other, and to cross the road for any pedestrian would be positively dangerous. In fact, it is so now and it is very necessary to keep a strict watch over the bus-owners of Calcutta. I am not saying that the control over the buses should be such as to altogether abolish them. The traffic, however, in Calcutta is so great at present that to properly control it would require a very large number of police force which it would be impossible for Government to employ. The buses are so rashly driven along the streets of Calcutta, which unfortunately are so designed that it is hardly possible for any man to cross the road from the footpath to another without the risk of being run over.

Dr. Naresh Chandra Sen Gupta has complained about obstructions in every way and by-way of Calcutta. I do believe that it is a statement of facts and I should say rather an underestimate of facts, but he has altogether failed to assess what the number of traffic police would be required to control them and to stop music before a temple or a mosque. I feel, Sir, that the traffic sense of the people of Calcutta requires developing. No country in the world has been able to solve its traffic problem unless the citizens themselves have developed the traffic sense. I have this much complaint that so far as the bus-owners are concerned, a more rigid control is necessary with a view to see that the speed and the way in which the buses ply in the streets of Calcutta are restricted.

Mr. P. N. GUHA: Mr. President, Sir, my friend Khan Bahadur Azizul Haque thinks that such a large number of policemen are necessary to control the traffic in the streets of Calcutta, that it is almost impossible for the Government to make adequate arrangements for the purpose. I agree, but, Sir, the problem of the control of traffic in Calcutta has assumed such a serious shape that something must be done to avoid disaster. A man coming from Bhowanipore to office quarters has to thank his stars if at the end of the day he can safely reach home.

I come from Bhowanipore to Chowringhee twice a day and I have always found buses, sometimes four or five side by side, running at such a high speed that the pedestrians and occupants of other vehicles find it impossible to pass on with a sense of safety. The bus owners are extremely reckless and callous regarding the convenience and inconvenience of others.

Sir, turning towards the question of protection given to the public by the traffic police on Chowringhee Road, I have not the slightest hesitation to assert that it is quite inadequate. There are two policemen at the junction of Circular Road and Chowringhee but none can be found till one reaches the head of Park Street and again no policeman is seen till one reaches Whiteaway's corner. I am sorry I have forgotten to mention about the elaborate police arrangement in front of the United Service Club or *chota killa* as it has come to be known in these days, but these policemen are more concerned with the Club where the *burra sahibs* live than with the traffic.

Sir, the buses have become a positive nuisance in Calcutta and something must be done to abate it. I do not for a moment mean to suggest that the buses should be discontinued, leaving the field to the tram cars as in old days. All that I want is that adequate and effective control should be exercised to minimize the danger to which the public are exposed on account of the rashness of the drivers of the buses. Sir, I have no experience of the traffic in other countries but I would like to know from those who have travelled in foreign countries, if such an irregular and dangerous system prevails anywhere in the world. Sir, it is particularly in Chowringhee where the buses are sources of grave danger. The drivers always run at break neck speed and I asked one of them the reason for it. He said that anxiety of the drivers and conductors to pick up fares was responsible for the speed. A bus has no chance of getting a passenger after it starts from Alexandra Court and till it reaches the Esplanade Corner and so every driver tries to reach the corner as fast as he can. This is exactly the reason why bus races take place on Chowringhee Road daily.

Sir, I fully agree with Dr. Naresh Chandra Sen Gupta and hold that there is no police control anywhere in Calcutta over the use or abuse of the public thoroughfares. If the Hon'ble Member in charge of the Police Department kindly accompanies me in my car to Lansdowne Road, where I live, I will show him that twenty to thirty up-country men are just now sleeping on their *durries* on the footpaths of that road. Not only that but in places washermen will be found to wash their clothes on the stones placed on the footpath. In fact I have never felt the existence of the Traffic Police in Calcutta anywhere except Chowringhee and Dalhousie Square. In Ballygunge and Bhowanipore side we never meet policemen except after *Poojas* and

Hat when they come and *salaam* for *bakshish*. Dr. Sen Gupta is perfectly right in thinking that streets, lanes and by-lanes in Calcutta are being used for all purposes except traffic. On the whole the system of controlling the traffic in this vast city is faulty and inadequate and I think it is high time for making some better and more efficient arrangement.

Maulvi ABDUS SAMAD: Sir, much complaint has been made against the traffic arrangement and obstruction caused by buses, taxis and human beings, but nobody has said anything about the most objectionable obstruction caused by cows and bulls let loose by the Marwaris of Burra Bazar on a portion of the Harrison Road. It is from College Street up to the Hooghly Bridge which is the most busy and congested portion of Calcutta and any one passing by that road will see that there is a large number of cows and bulls causing much annoyance, inconvenience and obstruction to the pedestrian public and wheeled traffic. The cows and bulls may be sacred animals to the Marwaris, but in the twentieth century this ought not to be allowed to continue any longer. I have brought this matter to the notice of Government for proper action. It is a public nuisance and should be removed as soon as possible.

Maulvi SYED MAJID BAKSH: Sir, I will return to the bus-*wallas*. There is one aspect of the question which has not been dealt with. I am not aware of the traffic rules and I do not know whether any rule exists or not about the control of a particular kind of traffic. Many of my friends have described how the bus-*wallas* race with one another to catch passengers, but none of them has said about the grave inconvenience caused by the bus-*wallas* by waiting at junctions for passengers after racing with one another. People, when they want to get to a particular place very quickly, avoid the trams and take buses. It is for this reason that the bus-*wallas* charge more fare than the tramways and the people gladly pay. In this connection I may repeat the old story of the hare and the tortoise. The hare after racing past the tortoise and going a certain distance stops and stops to such an extent that even the tortoise overtakes it and reaches the destination before it. Similar is the case with the buses—the buses after racing for some time stop at a certain place indefinitely in spite of the protests of the passengers by which time the trams reach the destination. I should like to know if there is a time limit beyond which the buses are not allowed to stop at a certain place. They produce a great amount of congestion by stopping for a considerable length of time one behind the other. I should like to invite the attention of the Hon'ble Member to this particular aspect of the question and if there is any rule on the point, I would request him to kindly make such a rule which would remove this grievance of the public.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I take this opportunity to place before the Hon'ble Member and the House another grievance. The cow and the bull have been mentioned already and I should like to bring the beggar into the picture. Sir, some of the previous speakers have raised the question of the buses and the bulls already, and I shall bring the beggar into the picture. I have noticed and I think others have noticed also that whenever the traffic police raises his hand and stops a car, a number of beggars invariably come to the place and asks for alms. This is really a nuisance, Sir. I do not know whether this goes to support the contention of my friend, Mr. P. Banerji, that there is a good deal of corruption in the police force and that these beggars beg and harass people in that way with the connivance of the constable on duty. I have seen the constable standing by and seeing that beggars beg before the occupants of cars though there may be very heavy traffic in the area.

Then, Sir, whenever the question of buses comes in, the question of trams also crops up; I do not know why, but perhaps because their interests clash with each other. Sir, I am not very familiar with the business aspect of this question, and I shall not deal with that. But one thing that strikes me is that generally we find that a bus does not stop where it is intended to stop, and stops where it is not allowed to stop. I do not know why. I would suggest to the Hon'ble the Home Member that he would draw the attention of the Commissioner of Police to this and to look into the matter, and in consultation with the bus-owners and their association to see if it is due to some improper arrangement of the bus stops and whether it is possible to arrange more convenient places for their stoppage and remove this inconvenience.

Mr. R. N. REID: I am not going to attempt to make out that all is for the best in the Calcutta traffic arrangement, still it is gratifying to have the mover of this motion repeat what he said last year that there has been a considerable improvement over the previous year which shows that a certain amount of trouble is taken in regulating the traffic and with some success.

The main criticism of the Calcutta traffic appears from what we have heard to centre round the congestion in side streets and even in some of the broader streets such as Lansdowne Road, and the buses. There I am quite in one with the mover in admitting that this awful racing of buses down the Chowringhee and certain other main streets is certainly a thing which ought to be stopped and I am sure the Commissioner of Police does not like it a bit, and it is a thing which Government also think ought to be stopped. It is not an easy thing to stop this or it would have been stopped before now.

As regards the white lines and the general disregard of traffic rules, I think it is a little hard to lay all the blame on the police, because

there is a pretty large class of drivers in Calcutta, a class which is confined not to any particular race or creed or grade of society which pays very little attention to traffic rules or traffic manners, and the fact that this class is a pretty large, one makes the job of the police a very difficult one, specially when we know that the majority of the traffic police are men of not very high education or training and on low pay.

As one of the speakers observed, if you are going to prevent the use of the streets as places for singing songs and holding meetings, you will have to increase your traffic police by an enormous amount, and I do not think any one is prepared to recommend that the police budget should be increased any more. I can only say that Government is alive to these things, and is also alive to certain evidences of defects in traffic control. On that assurance, Sir, I hope the mover will withdraw his motion.

Mr. C. C. COOPER: Sir, what the Hon'ble Member has said is an exact repetition of what has been said by Government in previous——

Mr. PRESIDENT: You cannot speak again, Mr. Cooper.

Mr. C. C. COOPER: I was just going to say, Sir, that I want to withdraw the motion.

The motion of Mr. C. C. Cooper was then, by leave of the House, withdrawn.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 1,73,000 under the head "26C—District Executive Force—Pay of officers" be reduced by Rs. 100 (to draw attention to the inequitable method of recruiting assistant sub-inspectors of police).

Sir, my object is to draw attention to the method of recruiting assistant sub-inspectors of police. In itself, this may be a small matter, but the subject is very important from the point of view of the Moslem community. Sir, it will be seen that of all the departments of public service, it was the Police Department in which the Moslems held their ground better than in any other till the year 1920. Since 1920, a new method of recruitment has been adopted and that is that sub-inspectors are recruited half by direct recruitment and half by promotion from the rank of assistant sub-inspectors, and assistant sub-inspectors again are recruited, half by direct recruitment and the rest by promotion from the rank of constables. So far as promotion is concerned, Government has made its position clear that Government does not consider any communal question in promoting officers from lower to higher ranks, but this is done purely on merit. I do not

want to raise that question now. As far as direct recruitment is concerned, the method of recruitment of assistant sub-inspectors tells very heavily on the Moslem community. It cannot be said that a sufficient number of Moslem candidates for this service, is not now available. Any number of Moslem candidates can be found for filling the posts of assistant sub-inspectors. In fact, the community can supply all the men necessary for this purpose. In spite of this, the number of Muslim assistant sub-inspectors appointed each year is utterly inadequate because recruitment is made on the basis of an old circular. In answer to a similar question discussed in this House in the year 1930, the Hon'ble Mr. Moberly replied that so far as the recruitment of assistant sub-inspectors is concerned, in the Presidency, Bakarganj and Dacca ranges not less than 33 per cent. and in the Burdwan and Rajshahi ranges not less than 20 per cent. are reserved for Muhammadans. We know, Sir, wherever there is this reservation of a minimum number, the ludicrous, but significant interpretation is that that should be the maximum number, and it is very seldom that any number above the minimum is appointed. Therefore, it is on account of the method of recruitment, that the number of Muslim assistant sub-inspectors recruited is extremely small, and that being the case, it follows that in the sub-inspectors' cadre also Muhammadans do not get the desired proportion of appointments because about half the number of sub-inspectors are recruited by promotion from the rank of assistant sub-inspectors and the other half by direct recruitment as I have already said. Sir, unless this old method of direct recruitment is revised, the injustice that is being done to the Moslem community cannot be remedied. The number of Muslim sub-inspectors seems to be decreasing every year. I think the attention of Government has not yet been drawn to the subject as I do not think it is the policy of Government to prevent a sufficient number of Muhammadans being recruited. As the Hon'ble Mr. Prentice has just said that Government is considering the matter seriously so far as the Calcutta Police is concerned, I think that should also be the attitude of the Government so far as the Bengal Police is concerned. I hope the Hon'ble Member will kindly look into the matter and revise the method of recruitment now in vogue on the basis of an old circular which is altogether unsuitable to present conditions.

The Hon'ble Mr. W. D. R. PRENTICE: I am glad to say that there is an increase in the number of Muhammadan assistant sub-inspectors. In 1930, it was 381, in 1931, 415, and in 1932, 423. So there has been an increase of 42 during the last three years. I do not know whether Mr. Tamizuddin Khan is of the opinion that the orders in the Police Regulations are not being carried out or whether it is that the percentages stated therein are too low. I could not quite gather from his speech what he desires. But I would say that we are

looking into the question generally of the recruitment of Muhammadans, and this part of the problem will not be ignored, but at present I cannot say whether it is desirable to increase these percentages for the various areas, if this is what he wants——

Maulvi TAMIZUDDIN KHAN: Yes, Sir, that is what I want.

The Hon'ble Mr. W. D. R. PRENTICE: If that is what he wants, I promise to look into the matter.

Maulvi TAMIZUDDIN KHAN: In view of the assurance given by the Hon'ble Member, I beg leave of the House to withdraw the motion.

The motion of Maulvi Tamizuddin Khan was then, by leave of the House, withdrawn.

Maulvi ABDUS SAMAD: I beg to move that the demand of Rs. 20,78,000 under the head "26C—District Executive Force—Pay of Establishment" be reduced by Rs. 100 (to ventilate the grievances of the backward classes of the Muslim community in the matter of appointment in the Police service).

Sir, by this motion I wish to raise a discussion on the method of recruitment of police officers, and specially of sub-inspectors of police in Bengal. Now, Sir, every candidate has got to make an application in a prescribed form. I have got a copy of that form, and we see that in column 9, a candidate has to state the special qualifications by which is meant the services rendered by the members of his family, and in column 12 is to be stated the names of his relations in Government service now or in the past and the appointments held by them. In column 13 is to be stated the names and status of persons who can testify to the character of the candidate and vouch for his social status. So, evidently the choice is restricted to persons of high birth and persons having relations with Government servants and who have a high social status. Now, Sir, on this point I put an unstarred question on the 14th December, 1932, to which the Hon'ble Member gave a reply. The question was—is it not a fact that in the matter of recruitment of candidates for Police service and for ministerial services in the civil and criminal courts, other qualifications being equal, preference is given to candidates belonging to higher status of society and having relationship with persons holding Government service, and the reply was—these factors are taken into consideration, but it does not follow that preference is always given to candidates who possess these qualifications. Now, Sir, the very language shows that preference is given to birth and special qualifications although exceptions may be made in certain cases. My submission, therefore, is that these clauses relating to special qualifications should be expunged from the application form

and candidates should be chosen only by the test of their educational qualifications, good physique and moral character, etc.; otherwise this would place the backward classes of the Muhammadan community at a very great disadvantage. They cannot show any high birth, nor high connections or connections with any Government servant, nor can they prove high status. Sir, the backward classes of the Muhammadan community form 95 per cent. of the population, consisting of agriculturists, artisans and tillers, etc.——

(At this stage the time-limit for the subject having been reached, the member resumed his seat.)

The motion of Maulvi Abdus Samad was then put and lost.

The original demand under head "26—Police" was then put and agreed to.

(The Council was then adjourned for 15 minutes for prayer.)

(After adjournment.)

DEMAND FOR GRANT.

27—Ports and Pilotage.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 3,72,000 be granted for expenditure under the head "27—Ports and Pilotage."

The motion was put and agreed to.

DEMAND FOR GRANT.

30—Scientific Departments.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 26,000 be granted for expenditure under the head "30—Scientific Departments."

Mr. SARAT KUMAR ROY: I beg to move that the demand of Rs. 25,500 under the head "30—Scientific Department (Reserved)—Donations to Scientific Society" be reduced by Re. 1 (to urge the Government to withdraw the retrenchment of 20 per cent. on the grant to the Varendra Research Society of Rajshahi).

Sir, the Varendra Research Society of Rajshahi is an institution of long standing and has been able to do a considerable amount of very useful work in unveiling the ancient history and antiquities of

Bengal. Their great usefulness has times without number been testified by the highest authorities of this Presidency, the Archæological Department and outside, the Hon'ble Education Minister and Khan Bahadur Maulvi Azizul Haque and others. Since the first Governor of this Presidency, all the successive Governors have graciously consented to become the patrons of the society. And the Government have been gracious enough to grant aids for the maintenance of its museum and for the pay of a Curator for the same. Sir, from the year 1932-33 these grants have been reduced by 20 per cent. Sir, it is thought in some quarters that research societies like the Varendra Research Society are luxuries and are far less in importance than institutions like the orphanage or rescue homes and the like and should not, therefore, be taken seriously into consideration. When their claim for State aid is pushed. Their grants-in-aid, therefore, may well be reduced by 20 per cent. while reductions in other departments may not exceed 5 per cent.

Sir, all over the world museums are regarded not as luxuries or superfluities but as necessaries of a civilised life. They are the recognised laboratories of liberal and higher education. Sir, you ought to remember the saying that man cannot live by bread alone. The soul, taste and mind must need also be fed, and for feeding their soul, taste and mind they want specimens of art.

Then, Sir, consider the importance of history in the field of education. Without a sound knowledge of the past you can neither manage the present nor forecast the future. Then again, Sir, consider the importance of the study of Anthropology in the field of politics. Without a sound knowledge of the institutions of mankind you cannot hope properly to develop or improve the existing human institutions. Sir, I have no time to dilute further upon the necessity of scientific researches for a civilised Government. I now pray earnestly, that the Government will withdraw the reduction and restore the former grant to the society for its museum. With these few words I commend my motion for the consideration of the House.

Mr. W. C. WORDSWORTH: Though if this motion were put to the vote I should not myself be able to support it because I do not know the circumstances in which the grant has been cut, but I presume it is the vital necessity under which the Government has been of reducing expenditure all round—yet as one interested in history and research into antiquity I may say a word of appreciation of what has been done at Rajshahi. Sir, it is many years since I was there, but in the days when I was privileged to tour in Bengal, I used to spend happy hours in seeing what the researches there have done. It was the result in the first place of the devotion of one man to the past of his nation, and secondly to his influence in inspiring others with a like interest. A nation that is not interested in its past should be

ashamed of itself. But it often happens that a nation becomes interested in its past only in an idle and sentimental way, leaving the actual work of discovering what has happened in the past to special institutions like the universities. Here at Rajshahi we have a part of a community that is actively interested in discovering what happened to the people of Bengal and the land of Bengal in bygone days. I think work of that kind is most useful and inspiring in this province, and so I say here my word of appreciation about it.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, I fully appreciate the remarks of Mr. Wordsworth and I join with him in congratulating the one gentleman referred to by Mr. Wordsworth and I think the Council ought to know the name of that gentleman. He is the mover of the resolution, Mr. Sarat Kumar Roy, through whose activities and generous donations this institution is flourishing in Rajshahi. There is no doubt that we all sympathise very much with the resolution that he has moved; but there is one thing I would like to point out. Here is the recommendation of the Retrenchment Committee suggesting a further cut. Government have definitely decided not to cut the grant any more. But it seems very difficult owing to financial stringency to withdraw the reduction we have already made, namely, 20 per cent., when we remember that societies like the Asiatic Society of Bengal, the Darjeeling Museum, the Victoria Memorial, the Dacca Museum, etc., have been similarly cut and the services and work done by the Asiatic Society are equally as great as the work done by the Varendra Research Society. I do not think that in the present financial stringency it would be possible for Government to restore the cut of 20 per cent. But I can assure the hon'ble member that as soon as the financial position improves, and if we see any sign of such improvement, Government will certainly sympathetically consider the request made by him. I would, therefore, request the mover to withdraw his motion in view of the fact that it is very difficult to make an invidious distinction between this society and other societies.

The motion of Mr. Sarat Kumar Roy was then, by leave of the House, withdrawn.

MUNINDRA DEB RAI MAHASAI: Sir, I beg to move that the demand of Rs. 25,500 under the head "30A—Donations to scientific societies" be reduced by Rs. 100 (inadequacy of the provision).

Sir, I moved a similar motion last year, but unfortunately I received no response. I know my cry would be like a cry in the wilderness. I am sure the Hon'ble Mr. Nazimuddin will raise the usual bogey of financial stringency. But that would not deter me from advocating the justice of the claim for adequate provisions for learned societies of Bengal like the Asiatic Society of Bengal and

the Varendra Research Society of Rajshahi. The grants which were formerly given were too insignificant for the purpose and further reduction would certainly be most cruel. Our Education Minister is a highly educated gentleman and I fail to understand how he has countenanced retrenchments in these most useful institutions. I should call this false economy. A few hundred rupees is nothing to Government. I should once again appeal to him not to starve the intellect of the nation by reducing the grants. When the 10 per cent. cut was enforced last year, exceptions should have been made in the case of these institutions. Now that 5 per cent. cuts have been restored to the salaries of Government servants, I hope the question of restoration of the full grant to these institutions should be reconsidered. I hope my appeal will not go in vain. If the Public Exchequer fail to provide funds, I hope the difference is not such a huge amount as to be beyond the means of the Hon'ble Minister for Education to make it up from his own funds. This would undoubtedly enhance his reputation as a patron of learning. It will not be a permanent charge on him. As soon as finances improve, he will be absolved from all liability of further payments. My friend Mr. Shanti Shekhareswar Ray wanted to make it obligatory to set apart a portion of the salary for Ministers for charitable purposes, but I want to make it only a voluntary one. With these words, I commend my motion to the acceptance of the House.

Khan Bahadur Maulvi AZIZUL HAQUE: I would like to say only one word in connection with what Rai Mahasai has said. I put it to Rai Mahasai whether he cannot forego 10 per cent. of his income from Bansberia and contribute towards these societies.

Mr. H. R. WILKINSON: Sir, I have very few words to add to what the Hon'ble Minister has said in relation to the Varendra Research Society as his remarks apply equally to the other societies with which the Rai Mahasai has dealt. I would, however, draw attention to paragraph 371 of the Retrenchment Committee' report in which they recommended further reductions which would have brought the present grant down by Rs. 2,780. I am glad that the Hon'ble Minister has succeeded in persuading the Government not to accept this recommendation and the demand stands without the further cut proposed by the Retrenchment Committee. I hope in these circumstances the Rai Mahasai will withdraw his motion.

The motion of Munindra Deb Rai Mahasai was then, by leave of the House, withdrawn.

The original demand under head "30—Scientific Departments" was then put and agreed to.

DEMAND FOR GRANT.

31—Education (Reserved).

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 10,43,000 be granted for expenditure under the head "31—Education (Reserved)".

The motion was put and agreed to.

DEMAND FOR GRANT.

31—Education (Transferred).

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 1,07,06,000 be granted for expenditure under the head "31—Education (Transferred)".

Sir, in introducing this grant I would like to draw the attention of the members to one or two important features in the budget this year. It has got to be acknowledged that Education is a department the activities of which depend largely on grants from Government to the various educational institutions. Unfortunately owing to financial stringency we have been compelled to carry on the 10 per cent. cut which was imposed last year on secondary schools for boys' education and also the 10 per cent. cut in the grants that are made to the colleges. We have been able to keep out of the reduction as much as possible. We have as a matter of fact not made any reduction whatsoever in the grants that have been made to primary schools and to the schools for girls and also to the educational institutions that cater for Moslem education, like the *muktabs* and *madrasahs*. Similarly the grants to the *tols* have not been cut at all. I very very much regret the necessity under which Government have not been able to provide in this year's budget the sum of Rs. 1,29,000 which used to be paid through the University to the colleges as a sort of capital grant for libraries, and chemicals and other things for laboratories and also for equipment of physical education.

Mr. PRESIDENT: Will you be very long, it is already 7 o'clock?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I am afraid I shall be a bit long.

Mr. PRESIDENT: I must then adjourn the Council.

Adjournment.

The Council was then adjourned till 10-30 a.m., on Saturday, the 25th March, 1933, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Saturday, the 25th March, 1933, at 10-30 a.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 92 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Agricultural education in middle English schools in the province.

*75. **Babu SATYA KINKAR SAHANA:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state what steps have been taken by the Government—

(*i*) to impart agricultural education in the middle English schools of the province;

(*ii*) to encourage female education in the district and town of Bankura; and

(*iii*) to improve primary education in the rural areas of the Bankura district?

(*b*) What pecuniary help has been given or has been promised to the school for girls at Kalitala in Bankura town?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) (*i*) Provision has been made for imparting agricultural education in 30 middle English schools.

(*ii*) Recurring grants are being sanctioned by the Inspectress of Schools, Presidency and Burdwan Divisions, for the maintenance of secondary and primary schools for girls out of the allotments placed at her disposal.

(*iii*) Government have sanctioned five Biss Primary Schools in rural areas in the district of Bankura at a total cost of Rs. 2,340, half of

which is met from provincial revenues. Government also meet the entire cost of maintenance of 86 Board or Panchayati Union Schools, amounting to Rs. 11,961 per annum. Further there were more than 1,073 primary schools during the year 1931-32 receiving Rs. 50,193 from provincial revenues.

(*b*) The Hindu Girls' School at Kalitala in the town of Bankura is a primary school, which is in receipt of a recurring grant of Rs. 65 a month from the department.

Babu SATYA KINKAR SAHANA: Will the Hon'ble Minister be pleased to state how many of the middle English schools in which agricultural education is being imparted are in the district of Bankura?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state what sort of agricultural education, theoretical and practical, is imparted in these schools?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: It is based on a scheme which has been approved by the Education Department.

Price of paddy at Chittagong.

***76. Rai Bahadur KAMINI KUMAR DAS:** (*a*) Is the Hon'ble Member in charge of the Revenue Department aware that paddy is being sold at 4 *aris* per rupee in Chittagong?

(*b*) Do the Government contemplate reconsidering the assessment and realisation of cesses, assessed on the money value of paddy?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Prevash Chunder Mitter): (*a*) No. According to the fortnightly prices current returns the wholesale price of paddy at Chittagong was rupee one and annas six per maund in the second half of February, 1933, *i.e.*, 2·18 *aris* per rupee.

(*b*) No. The assessment of cess is not based on the money value of paddy.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state upon what the assessment was based?

The Hon'ble Sir PROVASH CHUNDER MITTER: The whole thing was recently discussed very fully and I have nothing further to add.

Maulvi SYED MAJID BAKSH: I have got a very bad memory, Sir. Will the Hon'ble Member be pleased to repeat what he said?

The Hon'ble Sir PROVASH CHUNDER MITTER: I would ask the Hon'ble Member to read my speech.

Settlement of khas mahal areas in the Midnapore district.

*77. **Mr. R. MAITI:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(*i*) when the revenue of the khas mahal areas in the district of Midnapore was settled on the last occasion and when the next settlement operations were legally due in the aforesaid areas; and

(*ii*) whether it is a fact that the recent settlement operations in the said areas have been undertaken to settle the land revenue of those places?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, is it the intention of the Government to enhance the rents of the tenants of every class?

(*c*) Is the Hon'ble Member aware of the present economic distress in the country as well as the heavy fall in the prices of the staple food crops?

(*d*) What led the Government to select the present time instead of the time when the prices of food stuffs were much higher?

(*e*) What is the estimated cost of such settlement operations (and from whom is it to be realised)?

(*f*) Are the Government considering the desirability of postponing the settlement operations in the district of Midnapore during the present economic distress?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) (*i*) The settlement of most of the areas now under settlement operations was completed in 1911 and expired in 1931. The settlement of the remaining area has either already expired or will expire in or before 1936.

(*ii*) Yes.

(*b*) Each case will be considered on its own merits.

(*c*) Yes.

(*d*) See answer to (*a*) (*i*).

(*e*) Rs. 4,77,000. Government will bear the whole cost.

(*f*) No. There is no reason for postponing the resettlements. The question whether any temporary remission should be given owing to economic distress will depend on circumstances existing at the time when the new rents come into force.

Mr. R. MAITI: Will the Hon'ble Member be pleased to state, with reference to (*ii*) (*a*), in what areas settlement operations expired in 1931 and in what areas they will expire before 1936; also when did the operations begin in these areas?

The Hon'ble Sir PROVASH CHUNDER MITTER: Various parts of the country have begun in various periods; I want, however, notice of this question.

Maulvi TAMIZUDDIN KHAN: With reference to (*e*), will the Hon'ble Member be pleased to state whether the cost of operations will be recovered from the holders of tenure-holdings?

The Hon'ble Sir PROVASH CHUNDER MITTER: As regards Government land Government pay the entire cost.

Mr. R. MAITI: Does the Hon'ble Member think that in these days of economic distress, it is desirable that Government should spend so much money?

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes. It is desirable because it will increase the revenue. The question of economic distress will be taken into consideration in connection with immediate hardship, if any, due to increase of rent for a particular year.

High English schools in the Mymensingh district.

***78. Maulvi NUR RAHMAN KHAN EUSUFJI:** Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing separately, subdivision by subdivision, and with the names of schools—

(*i*) the total number of high English schools in the Mymensingh district including all the privately-managed schools, both aided and unaided;

(*ii*) the total number of Hindu and Muslim students in each such school; and

(iii) the total number of students belonging to the "Depressed Classes" as defined by Government, mentioning the particular (depressed) class to which the student or students may belong in each such school?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: A statement is placed on the library table.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Retiring of senior officers in the Education Department.

66. Mr. A. F. M. ABDUR-RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether the recommendations of the Bengal Retrenchment Committee of 1932 contained in paragraph 441, Chapter XXVIII, on the subject of retiring of senior officers with a view to effect retrenchments in the Education Department have been accepted?

(*b*) If the answer to (*a*) is in the negative, is the Hon'ble Minister considering the desirability of giving effect to that recommendation?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state whether such list contains the names of "senior men who have lost all interest or capacity for the work" or of such officers "who have earned their full pensions and whose retention is not essential in the public interest"?

(*d*) Will the Hon'ble Minister be pleased to state, whether any such list has been called for and received from the Principal, Presidency College, regarding officers serving in that College?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the lists contain the name of the Head Clerk of the Presidency College?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) and (*b*) The recommendations are under consideration.

(*c*) and (*d*) There is no list before Government at present, but the Director of Public Instruction has asked for the opinions of his local officers and has received an answer from the Principal of the Presidency College.

(*e*) The Principal's recommendations are confidential.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state as to how long he will take to come to a

definite conclusion regarding the recommendations of the Retrenchment Committee?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: There is a large number of files in connection with this; as soon as the session is over we will give our attention to them.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state what specific recommendations with reference to the Presidency College made by the Retrenchment Committee have been accepted?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Maulvi SYED MAJID BAKSH: Is it a fact that the post of Steward in the Presidency College has been recommended to be abolished by the Retrenchment Committee?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Yes, they have recommended it.

Maulvi SYED MAJID BAKSH: Has that recommendation been given effect to?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: It has been accepted, I think.

Certificate cases in the Noakhali khas mahal.

67. Maulvi MUHAMMAD FAZLULLAH: (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether certificate cases in the Noakhali khas mahal have abnormally increased during the years 1931-32 and 1932-33 (up to 31st January) as compared with those in the previous two years?

(*b*) If the answer to (*a*) is in the affirmative, what are the reasons?

(*c*) Have the Government taken any steps to ascertain the reasons of such rise, if any?

(*d*) Is it a fact that the increase is due to the fall in price of agricultural products and failure of crops within khas mahal areas?

(*e*) If the answer to (*d*) is in the affirmative, what steps do the Government propose taking to relieve the tenants?

(*f*) Are the Government considering the desirability of suspending collection of rents till the economic condition of the agriculturists improves?

The Hon'ble Sir PROVASH CHUNDER MITTER: (a) There has been an increase of about 50 per cent.

(b), (c) and (d) The local officers, who have been consulted, report that the increase is due partly to the low price of agricultural produce and partly to an increase in the khas mahal area. There was no failure of crops except in a small area of about 1 square mile in estate Burir Char where failure occurred both last year and this year.

(e) Total remission of rent for that area of 1 square mile in Burir Char was granted last year and a similar remission proposal is being made by the local officers this year also.

In consideration of the present economic depression it has been ordered that no interest should be charged for arrears of rent of 1337 and 1338 B.S., if paid amicably, and that interest should be charged at half the legal rates for arrears of rent of previous years. No certificate has been filed yet for tenancies in arrears for 1338 B.S. only.

(f) No.

Maulvi ABDUL HAKIM: Are the Government ready to grant some sort of remission in cases of distress?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have not said that Government were ready to grant some sort of remission, but if a suitable case is made out we are prepared to consider remission.

Maulvi ABDUL HAKIM: If a suitable case is made out——

Mr. PRESIDENT: I do not allow that question. It is hypothetical.

Prosecutions under the Indian Registration Act in the district of 24-Parganas.

[illegible]. Mr. A. F. M. ABDUR-RAHMAN: (a) Will the Hon'ble Minister in charge of the Education (Registration) Department be pleased to lay on the table a statement showing the number of prosecutions instituted under section 82(a), (b) and (c) of the Indian Registration Act XVI of 1908 by the Sub-Registrars of the district of the 24-Parganas during the years 1928, 1929, 1930 and 1931 with the results of such prosecutions?

(b) Will the Hon'ble Minister be pleased to state the names of the officers who instituted such prosecutions and the names of the offices to which they relate?

(c) Will the Hon'ble Minister be pleased to state whether the recognition of the services of prosecuting officers depends on the success or otherwise of their cases?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) A statement i laid on the table.

(*b*) The two cases of 1928 and one case of 1931 were instituted b Maulvi Abul Hasan Chaudhury as Sub-Registrar of Haroa an Hashnabad respectively.

The other case in 1931 was instituted by Maulvi Majibar Rahman Sub-Registrar of Budge Budge.

(*c*) Good work in bringing to justice any one who commits an offenc under the Indian Registration Act, as well as good work in other sphere of a Sub-Registrar's duties, is taken into account when an officer' promotion is under consideration.

Statement referred to in the reply to unstarred question No. 68 (a).

Year.	Number of prosecutions.	Section of the Indian Registration Act under which prosecuted.	Results.
1928 ..	2	82 (*c*)	(1) One person was tried and sentenced to imprisonment for one day and to pay a fine of Rs. 20. (2) Two persons were tried. Both were bound down under section 562, Criminal Procedure Code, for one year for the sum of Rs. 200 each.
1929 ..	Nil ..	....	
1930 ..	Nil ..	....	
1931 ..	2	82 (*a*)	(1) One person was tried and sentenced to pay a fine of Rs. 50, in default to undergo one month's rigorous imprisonment. (2) Two persons were tried and both acquitted.

Clerks and muharrirs of the Registration offices in the district of 24-Parganas.

69. Mr. A. F. M. ABDUR-RAHMAN: (*a*) Will the Hon'ble Minister in charge of the Education (Registration) Department be pleased to lay on the table a statement showing the number of clerks and muharrirs of the Registration offices in the district of the 24-Parganas, and how many of these posts are held by Muhammadans?

(*b*) Will the Hon'ble Minister be pleased to state whether it is a fact that no Muhammadan has ever been appointed as the Head Clerk of the Sadar Registration Office at Alipore, 24-Parganas?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) The total sanctioned strength is 86, but there are five vacancies at present. Twenty-six of the posts are held by Muhammadans and three of the vacancies will be filled by members of that community.

(*b*) So far as can be gathered from the records available, no Muhammadan has ever been appointed Head Clerk of the Sadar Registration Office.

(*c*) Because so far there have not been suitable Muhammadans of sufficient seniority in the office.

DEMANDS FOR GRANTS.

31—Education (Transferred).

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The Council is aware of the Government's decision that only urgent and essential new expenditure can be provided in the budget. We have, therefore, been able to provide for the following new items of expenditure:—

(1) Rs. 1,224 for the appointment of three teachers of Arabic, Persian, etc., for Government girls' schools at Dacca, Mymensingh and Comilla.

(2) Rs. 9,820 *plus* Rs. 65,000 as loan for the partial functioning of the Primary Education Act.

(3) Rs. 20,835 for physical education for boys in schools and madrasahs.

(4) Rs. 3,000 for School Health Inspectors, Calcutta.

(5) Rs. 2,000 for the travelling allowance to members of the Central Organisation and the Council of the Calcutta Sanskrit Association.

I do not like to take the time of the Council by giving the details of the new items of expenditure which are mostly self-evident. I would only try as briefly as possible to give some idea to the House about the partial functioning of the Primary Education Act and the grant for physical education and the physical training centre. I have already, in answer to questions in this House, explained that Government are very anxious to enforce the Primary Education Act but owing to circumstances beyond their control they have not been able to do so. To prevent the Act from becoming a dead letter, we decided to enforce some of the provisions of the Act, the activities under which will not necessarily require the imposition of the cess. I will now try to give the Council some idea of what we propose to achieve under the scheme for which this additional money is required to be sanctioned by the Council.

We propose to establish the District School Boards in the eight districts where the District Boards have agreed to hand over the control of primary education to the District School Boards and also to contribute the amount which they have been spending on primary education from the District Board funds. The names of the District Boards are—

1. Murshidabad.
2. Birbhum.
3. Pabna.
4. Dinajpur.
5. Chittagong.
6. Noakhali.
7. Mymensingh.
8. Barisal.

I would like to take this occasion to express the thanks of Government to the above District Boards for the public spirit they have shown in coming forward to co-operate with Government in the partial enforcement of the Primary Education Act. They deserve to be congratulated because they have sacrificed their right to control primary education in the hope that the enforcement of the Primary Education Act will be facilitated in their districts. Under the scheme proposed by Government, District Boards will be established in the eight districts named above and the District School Boards will take over the charge of looking after the primary education from the District Boards. The present Government grant together with the money spent by the District Boards will be the fund from which the existing primary schools will, as far as possible, be maintained. The question arises—what do the Government hope to gain by the change. The answer is that the first and foremost duty of the District School Board will be to survey the area in the district and have maps prepared and try to locate the schools on the map in such a way that the whole district is covered with schools and all the boys of school-going age will be able to attend one of these schools from a distance of two miles at the

most. This work will take at least a year or a year and a half and it is hoped that by that time and at the most in two years' time the economic condition will improve so much as to enable Government to impose the cess. But supposing it did not, even then the labour will not be lost because as soon as cess is imposed these District Boards which have got schemes ready will be the first to get going after the imposition of cess whereas other districts will have to wait a year and a half at least before they can start in earnest work under the Primary Education Act.

The second advantage that will accrue to the eight District Boards is that the District School Boards will be devoting their entire time and energy on primary education on the basis of a definite policy and well-thought-out plan. At the present time owing to the dual control of Inspectors and District Boards primary education in the districts is apt to be nobody's affair, not being directed on any definite policy or aim. I visualise that these District School Boards will try to redistribute the existing schools on a more equitable basis and will be able to provide for the education of a larger number of boys than they are at present. My ground for this expectation is based on the fact that at present there are more than one primary schools in certain localities where one can accommodate all the boys of school-going age. It is possible to amalgamate the existing schools in those areas where more than one or two is not necessary and the money thus saved can be utilised in starting new schools in those areas where none exists.

We are finding some difficulty in introducing the partial scheme. As the Act was meant to be enforced as a whole it is obvious that the partial introduction may bring about complications and may even necessitate the introduction of a very small amending bill. It is my duty to tell the House also that in the partial scheme the Central Primary Education Committee will not be established.

The Special Officer, Dr. Jenkins, has been entrusted with this very important work because he is considered to be one of the best officers in the Education Department and it is very necessary that at the start we should have the services of one of the ablest men in the service so that the foundation is properly laid. Apart from the fact that the detailed rules will have to be laid down for the election of various representative persons required under the Act, there are other important details which require very careful attention. Besides, Dr. Jenkins studied the question of religious instruction in primary schools in Denmark and Germany. The success of this scheme will largely depend on the whole-hearted co-operation of the District Boards in the matter of grants from their funds to the District School Boards and I am sure that they will not fail us having given their word.

The Council will be glad to learn that Government started as an experimental measure a physical training centre during the current

year for the purpose of turning out trained physical instructors. In the past men from Bengal had to be sent to Madras for receiving physical training. The school has been in existence for 9 months and I recently presided at a demonstration given by the students of physical exercises and small area games. All of us who were present were struck by the great improvement in the physique of the students in the nine months' time and the demonstration of physical exercises leads us to believe that the successful students of the schools will be able to direct physical education in schools and colleges on modern and scientific lines. I consider the experiment to be a complete success and great credit is due to Mr. Buchanan, the Director of Physical Education.

We have provided Rs. 25,000 in this year's budget for physical education—out of this sum the training centre will cost something from Rs. 13,000 to Rs. 15,000 and a sum of Rs. 7,000 will be spent on direct grants to non-Government secondary schools and the balance will be spent on non-Government madrasahs, guru training schools and inspection.

Maulvi HASSAN ALI: I move that the demand of Rs. 5,00,251 under the head "31A—Education (Transferred)—University—Grants to University—Calcutta University" be reduced by Rs. 100 (to draw attention to the country's demand for permission by the University to allow co-education of girl students in the existing high English schools and also to discuss the inadequate policy of the University of recently allowing some schools morning classes only for girls).

Mr. S. M. BOSE: Sir, should not this motion come under the head "31-B" which deals with high schools?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: May I explain, Sir? I think it is in its proper place, because secondary education is controlled by the University. Therefore its cut is to be treated as a University cut.

Mr. PRESIDENT: Are you satisfied Mr. Bose?

Mr. S. M. BOSE: Yes, Sir.

Maulvi HASSAN ALI: Sir, in this motion I do not want to enter into any academic discussion. I am not an educational psychologist, nor am I a medical psychologist, and therefore I do not hold any definite opinion as to what would be the effect of our action if we allow boys and girls—girls at least ten years of age—to be educated in the same school. But what I should like to state is this: that people of the country anyhow feel that girls who have passed the

middle English examination should not sit idle, but should be sent to the existing high English schools to receive education along with boys. Public opinion in this matter is every day gaining ground in our country. I believe this is due to three causes: First, there is a growing consciousness among the people of the country about the need of education of our womenfolk; secondly, there is paucity of high English schools in the country, especially in the *mufassal*; and, thirdly, there is the general economic depression in the country. In the *mufassal*, Sir, there are very few high English schools for girls. The guardians of the girls feel that, after their girls have passed the middle English examination, they should not sit idle for want of educational facilities. So, as there are no sufficient number of high English schools in the *mufassal*, it is but quite natural for guardians to think that their girls should be educated along with boys in the same high English school. Sir, I think that this is a problem in the country and I should like to substantiate it by the fact that already some schools in the *mufassal* have applied to the University for permission to educate girls in the high English schools for boys, for instance the Balurghat High School, and I believe also a school in Faridpur. The University have given permission to some of the schools. What I mean to say is that the policy of the University is inadequate in this respect. The University have allowed some schools to hold morning classes for the girls. By doing this the University have in a half-hearted manner recognised the principle of co-education. It should have done so in a whole-hearted manner, because there is great disadvantage in holding morning classes. The teachers who will not be paid any additional salary for teaching the girls in the morning are naturally reluctant to hold morning classes. People, therefore, desire that the University should revise the policy and allow the boys and girls to sit together at the same time. I do not exactly know what would be the opinion of the country, generally on this matter, but I am sure, Sir, that at present we do not find any objection to both men and women sitting together in the cinemas, theatres and other public places. A few months hence we shall probably see here sitting together men and women for the purpose of legislating. I, therefore, do not see any reason why the girls should not sit together with the boys for receiving education. With these few words I commend my motion to the acceptance of the House.

Mr. NARENDRA KUMAR BASU: Sir, I beg to oppose this motion. I think that Mr. Hassan Ali is not interpreting the views of the public of Bengal in this matter, so far as I am able to gather. In my opinion and in the opinion of the older men—I do not know about the young men—co-education beyond the stage of primary education is not proper, specially in this country. I am sure my friend, Mr. Hassan Ali, is not aware of the evils of co-education in other

countries. If he were, he would not be so eager to have co-education in this country. Sir, one does not want to sound any note of warning or of danger in this matter, but if one has to be true to his feelings and principles, one has got to say that the pace about co-working of men and women in Bengal especially is being rather forced. We have heard of men and women going together for picketing in the non-co-operation days, and we have heard of the evil results in some cases. So far as co-education in secondary schools is concerned, one has got to remember that the boys and girls in and after the adolescent stage will have to sit together during most of the day without any real proper supervision, which I understand is rather lacking in these days of large classes and of non-boarding schools. I should think, Sir, that it is not proper in the present stage of the development of this so-called civilisation in this country to have this co-education.

Mr. SYAMAPROSAD MOOKERJEE: Sir, I would like to explain to the House the attitude which has been taken by the University with regard to this question, because the mover of the motion has made it clear that he refers in this case to the decision of the Syndicate of the Calcutta University. I am concerned only with regard to co-education in schools. I am, therefore, not going to enter into a discussion of the larger question to which my friend, Mr. Narendra Kumar Basu, has just referred. I shall confine myself to the question of co-education in high schools in Bengal. We had decided a few years ago that in the high schools, boys and girls might be permitted to read together up to the age of 10, but girls above 10 years of age should not be permitted to read in the same school along with the boys. That was the decision of the University arrived at a few years ago. Last year we received several applications from schools in the *mufassal* asking for permission to allow girls to be admitted in the same schools with boys although they were above 10 years of age. The matter was discussed in detail and there was a good deal of difference of opinion among the members of the University. At one stage we thought that the question might perhaps be left to the discretion of the managing committee of the school provided certain conditions were fulfilled. First, the managing committee must agree, practically unanimously, that such a course was desirable; secondly, that public opinion in the locality should support such a decision, and thirdly, proper safeguards are taken by the authorities of the school. At one stage of the discussion last year we practically decided that we should proceed on those lines. Then we received objections from various persons and bodies, saying that the University should not allow co-education beyond the age of 10. So, after a good deal of discussion we decided a few days ago that co-education should not be encouraged in any school beyond the age of 10. We said that it was open to the authorities of schools to make special arrangements for the

education of girls by having separate classes in the morning for the girls. There is one aspect of the question to which I shall make a special reference. Mr. Hassan Ali seems to complain that this might result in retarding the progress of education of girls. Nothing of the sort. Under the University Regulations the girls need not read in high schools for appearing at the Matriculation examination; they can do so by studying at home. This applies to the higher examinations as well. For these reasons I think that the decision of the University will in no way affect the promotion of education of girls in this province. I feel, Sir, that this is a difficult and delicate matter and we ought to proceed cautiously. Perhaps after a year or two we shall be able to know what the actual position is. If we ultimately find that public opinion really demands that boys and girls should read together even in schools, the matter may be reconsidered at a later stage, but at present we had better leave things as they are.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Sir, I am in entire agreement with Mr. Narendra Kumar Basu in opposing this motion. As far as my community is concerned, it will never agree to the proposal which has been made by Maulvi Hassan Ali about educating girls and boys together in the same school. The University has agreed to girls under ten years of age reading in the same school with boys. Even there, I think, we are treading on dangerous ground. It is not necessary for improving female education that we should devise this course. If there is a definite demand for girls' education in any particular area, the proper thing would be to have a girls' school, and if for financial reasons it cannot be done, I think, the other alternative is to hold morning schools for girls. I do not know what justification Mr. Hassan Ali has for saying that there is a public demand in this matter. As far as I know, and as far as our own community and our religion are concerned, we the Moslems must to a man oppose co-education of grown-up girls with boys. We do not wish to bring back the days of Laila-Majnu to our schools, and the extremely bad results which might follow from such associations I cannot underestimate. With these words I oppose the motion.

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Mr. W. C. WORDSWORTH: Sir, I find myself in entire agreement with Mr. Hassan Ali, though I am a member of the school committee of the University of Calcutta which applies the policy that he and I condemn. There is no inconsistency there. Policy is the resultant of varying views. We press our views and after a decision is taken we apply that policy. I would gladly see this policy changed. An Englishman speaking on social customs and social manners in Bengal must be diffident, and there are many things that I have never yet understood. In the days when I toured the villages (and no man

was happier than myself to leave the town for the bamboos and palms and mud of the villages), I used to see little girls and boys playing happily round the tanks, as innocent of clothing and as ignorant of its functions as our first parents before the Fall, and the neighbours looked on approvingly. But occasionally a ruthless hand would take these little ones, clothe them from neck to knee and put them in the village patshala. . . . Then there would be shrieks about the impropriety of boys and girls sitting together on the same bench or the same floor to read their little books.

I gather that some towns to-day are equally shrieking about the impropriety of boys and girls going to school together. My view is that the University should not have assumed the responsibility of making any one law for the whole of this province. Some places want this co-education, and others object to it. Why should it not have been left to local opinion; why should it not remain a matter of local option, the school authorities in each case deciding the question for themselves according to their reading of local sentiment? The only explanation I can offer why the University was forced into passing a comprehensive rule was that school authorities shrank from the moral responsibility of making this decision for themselves, of interpreting local opinion for themselves, and wanted some hard and fast rule of the University to point to in a difficult situation. I think this is a mistake. It is a matter on which the locality should decide for itself. Opinion varies, and opinion changes, and the opinion of a locality to-day may not be its opinion a few years hence. But the question must be considered from two separate points of view. There is first of all the economic consideration. This is a poor country, and it is as necessary for education as for everything else that resources in teaching powers, school accommodation and all else, should be made to go as far as possible. There is another consideration. Is it educationally right? Is it psycologically right for boys and girls, little boys and girls, young men and women, to sit together on the same benches at their studies for hours a day? Here I remind myself that in Calcutta and perhaps elsewhere we have the phenomenon of Bengali girls going in large numbers to men's colleges, and I am told that the men's colleges are at the moment really more popular with the girls of Calcutta than the colleges that have been set apart for them.

I speak with very little recent knowledge of the circumstances of the towns of Bengal, but I do see that co-education would enable a small town to run a good competent school which perhaps it might not be possible to do otherwise, or enable it to give its girls a good education which it cannot give otherwise. There is another consideration, that it will accustom the young Bengali boy to realise that there may be some one finer and more capable than himself in the world, and that is his sister. This is an experience that has been

discovered again and again in co-education in England. After all, this Council will itself have to learn the truth soon. We are to have in the next stage of our development half a dozen ladies in this House, and I think only the very inexperienced will imagine that 244 men or so will be able to hold their own in argument with half a dozen ladies. Let this lesson be learnt early.

Now, may I point out that this system of co-education is followed by some in England for two reasons. One, because of economic necessity. Village schools and small towns have schools for boys and girls together. But also there are certain well-known public schools in the country where boys and girls are educated together until the age of 18, and this in deliberate pursuit of an educational belief. I should say that most people consider this to be educationally unsound, but there is sufficient approval to enable several very competent public schools, schools of great repute, to be maintained generation after generation. Many of my own friends are enthusiastic about this, although I have to admit that the most enthusiastic of them are those who have no children. You may know the story of the father whose boy at one of these schools came home with a very bad report, well down towards the bottom of his form, every girl above him. The father in disgust commented upon his allowing himself to be passed by "mere girls." To which the boy replied: "Girls don't seem to be nearly so mere now as they used to be." I think that is the way in which we must interpret things in this province. The Bengali girl, so far as I am able to estimate her, is in education a much more competent girl than she was 20 years ago. In any case, why not allow this co-education to be a feature of our educational system in places where local opinion approves? It will help us in our economic need, and it will also help to introduce some variety into our education. We all know that one of the worst features of our educational system is that there is far too little variety, and that by years or generations of unflinching routine we have reduced our education to something that is very near stagnation.

Mr. P. N. GUHA: Mr. President, Sir, it was only a couple of days back that in connection with a debate on the grants of the Registration Department that my friend Mr. Nazimuddin called me a prehistoric man. When coming here this morning with the intention of opposing the motion of Mr. Hassan Ali I thought that I would be placed in the same category once again. I am, however, relieved to find that friends much younger than myself such as Mr. Narendra Kumar Basu and Khan Bahadur Abdul Momin have opposed the resolution. Sir, many of you are aware that I am a poor man absolutely innocent of University education. I have had nothing

to do with the University in my life but under the peculiar dispensation of the Providence I am now compelled to take some interest in University education. My children are going up for University education and as a matter of course I am taking some interest in it. Further, I have established a high English school in my native village and I had to be in touch with the University in connection with several matters connected with it. Sir, only a few days ago I received a letter from the head-master of my school requesting me to seek permission of the University to admit some girls into the school. Thereafter I gave much thought over the question of co-education and I have formed the definite opinion that such education is positively injurious both to the boys and girls.

Sir, those who have been supporting co-education, have been doing so on the strength of the example of the western countries, as my chief Mr. Wordsworth has been doing just now. Our greatest misfortune is that our English friends and the enthusiastic reformers of our own country want to transplant everything Western, particularly everything English into the soil of India without taking any care to examine if the soil of this country is suitable for the growth of oak. I am sure that the points of view put forward by Mr. Wordsworth are fully applicable to the conditions prevailing in his own country but I maintain, Sir, that they are not so to the conditions of Bengal. In tracing the history of co-education we are to go back about 30 or 35 years. The idea first came, I think, into the brain of the late Dr. P. K. Ray who sent his daughter to the Presidency College after she had passed the Entrance Examination. Miss Roy, as she then was—now Mrs. Mukerjee—was accompanied by another Miss Roy, subsequently Mrs. R. C. Bonnerjee, a daughter of the late Mr. R. N. Roy. These two ladies first went to receive education in a men's college. Those two ladies were our contemporaries and after them no one ever thought of co-education.

Sir, Mr. Hassan Ali has said that there is a great demand for co-education. I have no doubt there is but that is no reason why the University should allow it. The danger of allowing grown up girls to mix with grown up boys freely is so obvious, not only from the moral point of view, but from various other points, that the country should oppose it very strongly. Sir, it has been said that co-education is necessary from the ecomonic point of view. This is a theory which will not bear a moment's scrutiny. I for my life cannot understand why different schools for girls and boys cannot be run in the same locality with economy. If there are 20 or 30 girls in a locality willing to receive good school education, ways and means can certainly be found to establish a girls' school there. Or the teachers of a high school can easily teach the girls in the mornings in a separate house. The matter is, as Mr. Narendra Kumar Basu has said, so delicate that

it is indeed difficult for one to dilate on its manifold evils. There are so many bad sides of the question that it should be opposed.

Sir, I also very strongly oppose the second part of Mr. Hassan Ali's resolution which enjoins the University to allow morning classes to be opened for girls in men's colleges. I do so particularly from the view point of health. Sir, girls attending men's colleges are to go to their classes at 6 and they finish at 11 in the morning. That is simply dangerous from the health point of view, for the simple reason that these girls are to go on absolutely without any food for long morning hours. Sir, one of my daughters has been attending the morning classes of the college of Mr. Syamaprosad Mookerjee for the last two years and her health has considerably deteriorated. There are other objections as well. Girls who attend morning classes and remain in the college house till 11 a.m., generally come in contact with young men who begin to come in from 10 a.m. They therefore get ample opportunities of knowing each other. The result is not a very happy one. For obvious reasons I cannot go into the matter further. I strongly oppose the resolution.

Dr. NARESH CHANDRA SEN GUPTA: As one who has been co-educated and as one who has children who are being co-educated, I must enter my most emphatic protest against the vague and mysterious insinuations which have emanated from some of the speakers with regard to the evils of co-education in existence. Sir, I have had personal knowledge of what co-education means. Mr. Guha gave an entirely wrong history of co-education in this province. The first girls to go to a men's college were two—Dr. P. K. Ray's daughter, as he has said, and the daughter of Mr. R. N. Ray, the late Mrs. R. C. Bonnerjee. Well, we have been co-educated with them in the classes and nothing very frightful happened. There were indiscretions by some boys, for which they were punished, but the number of them was extraordinarily small, even for the first days of co-education. It is not that after this everybody gave up all thought about it. There were two more girls that came to the Presidency College in those days and they passed unscathed. Then, in the City College—perhaps Mr. Guha has forgotten this—for a number of years there has been co-education and the first girls that came to this college were the daughters and nieces of Sir Nilratan Sircar. (A VOICE: Mention names.) I do not want to mention names after this and if I have mentioned this matter at all, it is because they were pioneers. At the present moment at the Scottish Churches College there are as many as 60 girls at least who are receiving education: (REV. B. A. NAG: As many as 90, instead of 60.) All right 90, I stand corrected. And one of them happens to be my daughter, so that I can claim a somewhat intimate touch with what

happens in that college in connection with co-education. Nothing very scandalous has occurred; but this is, Sir, altogether beside the point.

The question at issue before us has however, I am afraid, been somewhat clouded by all these side issues. Mr. Hassan Ali does not compel anybody to send his girl to a boys' school. All that he wants is that where people want facilities to be given to girls to read in the boys' colleges and where parents are willing to send their girls to those colleges and where parents of boys are not unwilling to have them co-educated with girls, such facilities should be given. That is quite a simple issue and raises no question which should frighten Khan Bahadur Abdul Momin. It is only when public opinion requires the existence of a school where girls should have the option of reading with the boys under proper safeguards—only in that case should permission be given by the University to hold such classes. Naturally the limitations to be placed upon such a course would be very great. If there is a very strong public opinion against it amongst the parents of boys school authorities would not venture to make this innovation, because it might result in emptying the benches of those schools. It is only when there is a strong backing of public opinion that the school authorities would venture to introduce the girls there. If that is so, if public opinion wants co-education for the purpose of giving an opportunity to girls of getting a proper education, is there any question of public policy which forbids us granting that permission? I submit there is none. No doubt everything new frightens our conservative instincts, but in any case there is no such great question of public policy involved, which necessitates our forbidding a section of the public having their will in this matter. In matters of excise, drinking is considered by the bulk of us, I suppose, a sin and an evil thing; but even in that matter, Government opens shops where they are wanted. It allows the tipsters to have their glasses; it does not forbid them. Is the education of girls and boys together such an evil that it should be stopped when you do not stop wine-drinking by those who want it? But that is a different question. The chief thing is: Are you going to give the liberty to the people to educate their children in the way they choose? If you say that you do not want to give them this liberty, then why are you giving them the liberty of drinking themselves to death, I cannot understand.

Reverend B. A. NAG: I do not know when I was in such agreement with my friend Maulvi Hassan Ali. I rejoice to see that my friend who represents a community which has not the reputation of having advanced views about the education of our womenfolk, should have brought this motion before the Council.

A good deal has been said in favour of co-education which I fully support. But there are one or two points which I should like to place before you and that is this: It seems the University raises no objection to co-education in the primary classes up to the age of 10; it seems also that the University has willingly or unwillingly or the country in fact willingly or unwillingly supported co-education in the college classes. The Scottish Church College sought no permission. They started it and I think it is well known that the most promising girls go to the Scottish Church College and they take high places in the University examinations topping over the young men. Now, if there is no objection to co-education up to the age of ten, if there is no objection to education after the age of 16—I think that is the average matric age—what is the objection to co-education between the ages of 10 and 16? The very psychology of it is dangerous to the boys as well as to the girls, for, to make them begin to ask the question as to why this restraint is put upon them at that age is neither healthy for them or for the boys, and therefore I do not see any logic whatsoever—having permitted co-education up to 10 and beyond 16—and some reference has been made to the possibility of our sitting together in this Council—that girls should be relegated to a back position in the matter of co-education, during the intervening period from 10 to 16.

Mr. Wordsworth has referred to the economic condition and that no doubt is a serious consideration in this matter. The University has permitted morning schools for girls but the boys' classes and the girls' classes sit separately. Unless that arrangement means the establishment of a really separate school with a separate set of teachers, I am afraid it is only for economic reasons that teachers might agree to teach both in the morning and again after 11 o'clock, but they are not fit to do so. A teacher who does his duty from morning hours till 11 a.m. cannot do his duty again from 12 to 4. If he agrees to do so, he agrees only for the sake of money. But this arrangement is prejudicial to the boys and therefore is absolutely bad. Again, economic considerations force us to support this matter of co-education. The number of girls seeking education is happily increasing nowadays. In certain villages or in the *mufassal* town there may be 30 or 40 girls reading in the several classes of the high schools and to start a separate and independent school for 30 or 40 girls is impossible in these days of economic depression; this leads us again to the need for co-education. These 30 or 40 girls can be easily absorbed in the boys' school but to start a separate school for them would be very expensive.

Then there is one thing which my friend Mr. Momin has said. I hope he will not ask me to mention the name of the school to which

I am referring, for I fear propaganda against it. But the Hon'ble Education Minister knows it. They are following co-education in that school and there are Muhammadan girls in that school. I am afraid of Khan Bahadur Momin's propaganda against that school, and therefore I do not mention the name of the school; but if he will promise to be good, I can take him to that school one of these days. In spite of what Khan Bahadur Momin says I think Muhammadans do demand co-education. Why, is not Maulvi Hassan Ali, who has moved this motion, himself a Muhammadan? For all these various reasons I think co-education should be permitted. The utmost that the University can do is to pass permissive orders, and not a mandate, for nobody wants it. The permissive order being there, it will be left to local opinion whether in certain localities there should or should not be co-education. I hope the University will be so led by my friend who leads the University in these days. I appeal to Mr. Syamaprosad Mookerjee that this permission for co-education may be granted to all those schools that want it.

Maulvi TAMIZUDDIN KHAN: Sir, in spite of the erudite elucidation of the subject by Mr. Wordsworth and the Rev. Mr. Nag, I do not agree either with the hon'ble mover of the motion or with his supporters. Mr. Wordsworth said it was a thing to be considered whether co-education is psychologically sound. But unfortunately he did not adduce any reason that it was psychologically sound. I think that the Rev. Mr. Nag raised the psychological question and said that there was no reason why boys and girls should be allowed to read together up to the age of 10, i.e., up to the primary stage, and then after that they should be separated, raising the inevitable question in the minds of young boys and girls as to the reason for such separation. If Mr. Nag will kindly look into the educational systems of the Western countries particularly Germany, where, if my information is correct, boys and girls read together up to the primary age and when they reach the adolescent stage when the minds of boys and girls are most impressionable they are separated; and again in the higher stage when their minds are more mature there is arrangement for co-education. Why even in a country like Germany during the period of adolescence boys and girls read in separate schools and are not allowed to read together? I hope Mr. Nag will try to understand the psychology of such separation and judge whether there is any soundness in this system. Apart from the question of religion, I think the whole Eastern mind is against the idea of the promiscuous association of boys and girls, in educational institutions. Sir, I think my friends who are in favour of co-education are absolutely in a minority in this House as well as outside it. It has been said by Dr. Sen Gupta that there seems to be no reason to object to the humble request of Maulvi Hassan Ali simply to allow co-education but not to enforce it.

Mr. Hassan Ali has said that there is some demand in certain localities for co-education. I for myself do not know if there is actually any genuine demand for co-education, and if there is any demand anywhere that only shows that there is a demand for education of girls as such. So far as that is concerned I think Government is to be blamed for the niggardly response it has been making to this demand. There is certainly a demand for higher education for girls in the country. But apart from formulating certain schemes of which we have heard now and again on the floor of this House, the Government has not yet been able to show any appreciable practical result. To give effect to this scheme, at least one high English school for girls is required in every district headquarters. But Government always comes forward with the excuse that there is no money for the purpose. Although there is a good deal of force in this plea, I am afraid Government has not actually made genuine efforts to solve this problem. If there is any demand for the higher education of girls it should be met by making adequate provision for education of girls separately from boys and not by allowing co-education. In spite of the advice of the Rev. Mr. Nag, I think the University has acted rightly in not allowing co-education above the primary stage. Mr. Wordsworth has spoken about the good effects of co-education in England. Sir, if we speak about Western co-education, particularly in America, I think it will not be taken as presumptuous on our part. We on this side of the world are definitely of opinion that co-education has had a very evil effect on Western and American societies. Perhaps as they are in the thick of the evil they are not able to look at it in that detached critical spirit as others who are away are able to do. I think the advice of Mr. P. N. Guha should be borne in mind by all thoughtful men in our country. It is a dangerous thing to transplant all that is Western to the Eastern soil; there are things which may be suitable to Western countries, but it is futile to think that all these things will be suitable to the East also. Our very social structure is different from the social structure of the West. Even in the West co-education has borne evil fruit. But admitting for the sake of argument that co-education is good for the West, surely it does not follow that it will be also good for us because, as I have said, our society is different from that of the West. Here men and women have never mixed or associated together promiscuously in any walk of life. Only Western countries allow such promiscuous association, and if this system is introduced here all at once, it is sure to produce baneful results.

With these few words I oppose the motion.

Mr. P. BANERJI: In rising to support the most reasonable motion that has been moved by my friend Mr. Hassan Ali, I would first of all refer to two of the speeches—I mean those of Mr. Guha

and Khan Bahadur Abdul Momin. In a way they are neither here nor there. Their arguments are not convincing and they do not support even what the representative of the University said. The University has allowed co-education up to 10 years. I find no reason why they should not allow co-education up to the age of puberty. They have allowed girls of 10 years of age to read with boys. What is the difficulty, may I inquire, if the age limit is raised to 15 years for girls and boys reading together? I find no difficulty. The previous speaker has said that this is not suited to our Eastern countries and Eastern ideas. I say his argument cannot stand the light of day. In Eastern lands education of boys and girls together dates from time immemorial. Even in Japan, Burma and other provinces in India—for instance Bombay and Madras—co-education in school exists. I know this definitely although the representative of the University says no. But I would refer him to Bombay, Madras, Burma and Japan which are all in the East, where co-education is going on. Sir, it has also been suggested that separate classes should be started. Those who know this country will agree that it is with great difficulty that schools in *mufassal* are run and it is difficult for teachers to teach from morning to 11 and again from 12 to 4: it is impossible in the present state of things, when there is not sufficient money even for the education of boys. Dr. Sen Gupta has said that if there is a demand from a considerable section for co-education, there is no compulsion in this matter, and if the conservatives in the country, I mean persons of the Khan Bahadur or Mr. Narendra Kumar Basu's ways of thinking, think that their girls are not to be sent to schools, that is a different matter; they need not send their girls to schools and colleges. At the same time I do not think they are in the majority. If you ask the opinion of the girls themselves, I think you will find that 99 per cent. of them will be prepared to receive education. There may be people both in my community and in the Muhammadan community who are conservative enough to think that their girls should even go without education than read in schools along with boys. I maintain a beginning should immediately be made and the University should see its way to reconsider the matter and issue instructions that where the Governing Body unanimously support a resolution like that, there should be no difficulty in allowing co-education. With these words I support the motion.

Maulvi LATAFAT HUSSAIN: Sir, it is a wonderful thing that this recommendation should come from the mouth of a Muhammadan, I mean Maulvi Hassan Ali. He knows the religion of the Muhammadans which lays down that girls of over 7 or 8 years of age should not be allowed to go out of their houses without *purdah*. Instead of that it is proposed that they should sit 7 or 8 hours a day with boys. Some of the speakers have pointed out that Mr. Hassan Ali has no idea

about these things. He said there is no compulsion in the matter. As an example I would point out that while drinking is prohibited to the Muhammadans, shopkeepers open their shops as usual and they do not compel any one to drink wine; all the same when the shops are opened in the bazar the Muhammadans are tempted to drink wine.

I would remind my friend Maulvi Hassan Ali what happened to King Amanullah Khan of Kabul who tried to adopt the same ideas as those of my friend. I do not want to say more and would request him to withdraw his motion.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, I think Mr. Hassan Ali ought to be congratulated for having introduced a motion which has raised such an interesting discussion in this House. As far as Government are concerned, I think all that they can do in this matter is to forward the discussion to the University for their consideration. But I would like to say a few words on the merits of the issue raised. The thing has been thoroughly discussed and opinions have been expressed on both sides; but there are two points which require rather serious consideration. They were raised by Mr. Wordsworth and other speakers who were of the same opinion, namely, that there appears to be on the surface of it no reason why the University should not allow the localities themselves to decide whether in particular schools there should be co-education or not; and that in view of the economic condition of the country it appears that it will be advisable to allow co-education in those places where this is possible, because in this way you will be able to impart education to your girls more easily than you can do otherwise. Sir, I apprehend that there will be serious difficulties if local option is allowed. As a matter of fact Mr. Wordsworth himself answered this question by pointing out that the University decided not to give this privilege to the local authorities on the ground that the school authorities would be placed in a very difficult position. There will be the possibility of the school committee being seriously divided on the issue, and even for the sake of argument if it is said that it should be allowed only where the managing committee is unanimously in favour, there is a likelihood that the public may take exception and we will have more rival schools started which instead of doing good to the cause of education may seriously injure it. My personal opinion is that already, as far as the boys' schools are concerned, we have too many schools and all these have sprung up on account of local jealousies, local frictions and local quarrels. By adopting this system we would be introducing a new element in the villages which would be the subject-mater of dividing the people seriously, because even from the debate in this House it is apparent that there is a very strong opinion held on this question by many members of the House. You can imagine how this question will excite the feelings of the people in the villages if the University allows

the local authorities to decide this question. I think the University has taken a very wise step in restricting co-education of girls in schools up to the age of ten.

Similarly, from the economic point of view I do not think that in the long run it would pay the school authorities. As I have said, there are possibilities of providing facilities to girls for education in the existing schools, there are also possibilities that this question will bring about friction and instead of one school there will be two schools, and consequently both the schools will not be able to prosper for want of funds. As this motion is mainly directed to draw the attention of the University, I think the best course for Government would be to forward the proceedings of this Council to the University for their consideration. I hope in view of this the hon'ble member will withdraw his motion.

Maulvi Hassan Ali then asked for leave to withdraw the motion.

The question that leave be given to the mover to withdraw the motion was put and a division was called.

Mr. PRESIDENT: I draw the attention of the House to item No. 566. The position with regard to that motion is this. The Hon'ble Minister gave an assurance to the mover that a copy of the debate would be forwarded to the University for its consideration and on that ground he appealed to the good sense of the mover to withdraw the motion. Thereupon the mover expressed his willingness to withdraw it, but Maulvi Tamizuddin Khan objected to that. The question therefore is whether the motion should be allowed to be withdrawn or not.

The question that the resolution be allowed to be withdrawn was put and agreed to.

The motion was then, by leave of the House, withdrawn.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 5,00,251 under the head "31A—Education (Transferred)—University—Grants to University" be reduced by Rs. 100 (to urge the desirability of appointing trained librarians).

Sir, on several occasions on the floor of this House I drew pointed attention to the importance of having trained librarians in our libraries. I should not therefore tax the patience of the House with a long speech on the subject. I shall try to be as brief as possible. Sir, last year at about this time when I proposed the opening of a class in the University for the training of librarians, my most esteemed friend Mr. Wilkinson observed that there was very little demand for such classes. I can assure him that there is a great demand for it. In this great struggle for existence our graduates have become eager

to find out new walks of life. Every now and then I receive applications for recommendation for admission into the University of the Panjab or Madras or to Baroda for training in librarianship. These classes have been opened exclusively for the benefit of a limited number of local graduates and therefore strong recommendations are necessary for outsiders. But, Sir, I sometimes hesitate to recommend because there is no opening for their appointment in this province. Here the Government do not recognise the necessity of appointing trained librarians in the libraries attached to colleges. Perhaps some members may remember that in reply to a question of mine a list of college librarians with their qualifications was supplied to me in which the educational qualification of a librarian was given as "plucked Entrance". Circumstanced as the libraries are in this country, there cannot be any objection to such appointments. Here the librarian is a custodian of books. He has got to keep a list and an issue register and some such other registers. This sort of clerical work can very well be managed by an Entrance-plucked man. In Bengal, college and other libraries have been kept in a most primitive stage. Sir, in this connection, I may be permitted to cite the instance of our Council Library. From a spectacular point of view it is one of the finest libraries in this province. It is housed in a commodious and well-decorated hall with costly furniture and equipments. The books are well bound with glittering letters and the almirahs are quite in keeping with their surroundings. There is the librarian with his assistant in a quiet corner always ready to find out books for our use. We have got no complaints in that respect. But, Sir, if you visit the Madras Legislative Council Library you will find it just like a little workshop. The Librarian with a dozen assistants is always at work. Their sole aim is to facilitate the work of the members. Relevant materials for each day's discussion are kept always available. The indexing system is so very accurate that at the shortest notice one can find all relevant materials at his command. The members freely avail themselves of the service thus offered by the Librarian. Similar is the case with the Madras University Library. It is also a live workshop on a larger scale. Its Librarian, Mr. Ranganathan, with his three scores of assistants work hard from morning till late in the evening for catering to the needs of the clientèle which is not only confined to University men but is extended to a wider public. All high officials of the province readily avail themselves of the service rendered by the Librarian. The classification and indexing are of such a high order that all sorts of information lie under the thumb of the Librarian. For instance if any high placed individual is required to deliver a speech on a technical or intricate subject and has not much time at his disposal, he has only to ask for relevant materials and the Librarian is ever ready to help him at short notice. This saves lots of time of the speaker in hunting up materials. Such is

the case, although not to such a large extent, in the University Library of the Punjab. There my friend, Mr. Labhuram, is always ready to cater for the needs of his clientèle in a remarkable way. Mr. Labhuram had his training in library science from the American library expert, Mr. Dickinson, who was engaged by the University to reorganise the library. My friend, Mr. Ranganathan, while a Professor of the University, was deputed by it at its cost to have his training in librarianship in Europe. There is a vast deal of difference between the Madras and the Calcutta University Libraries. Here in the University Library of Calcutta I have got no complaints to make about the collection of books. It is one of the best libraries in the province so far as the vast collection of books is concerned. The Librarian and his assistants manage things as best as they can in their own way. My object in moving this motion is to see it managed in a more scientific way on modern lines and to outbid Madras, the Punjab or Baroda. I am proud of the achievements of our University in the domain of literature, arts and sciences. I want to see it foremost in all other matters also. It should not lag behind any other provinces in India in any department whatsoever. It is for that reason that I have tabled this motion to see its library modernised and made up to date in all respects.

I should like to ask the authorities to remember that librarianship is not a clerk's business. It requires immense brain work. The librarians must have a sufficient knowledge of and sympathy with all branches of knowledge to be able to do justice to them in the selection of books, to give readers the guidance of which they stand in need and to find out in the quickest manner the place where the information sought by the reader can be found. They must be capable of using books as tools not only for the dissemination of knowledge but also for the extension of the boundaries of knowledge. Possession of materials, knowledge of how they work, skill in using them and command of resources are essential for a modern librarian. The thing to be given must first be possessed by the giver. Books shut up in almirahs are no better than dead bones—but under an able librarian they would vibrate with life.

Sir, people are eager to learn but you are not prepared to provide necessary facilities for them. Mr. Wilkinson stated on the last occasion that the Imperial Library does train librarians. This is not at all correct. A scheme for training librarians was under consideration but has been held back for want of funds.

His other statement that a certain amount of training is given in the training colleges for secondary school teachers is rather amusing. In fact there is not a single trained librarian there and the result would be just like a blind man leading another blind man.

It would I think be useless for me to ask Government to open a training class for librarians but would it be too much if I ask them to appoint trained librarians in the universities and colleges under them at least when vacancies occur?

Mr. H. R. WILKINSON: Mr. President, after hearing the Rai Mahasai's speech, I find it difficult to understand why he expressed his hesitation about getting up to move this motion. I notice that he has tabled altogether five motions relating to this subject which are interspersed over various grants. But from what he said, and from the wording of this particular motion, I gather that he intends only to draw the attention of the University to the necessity or desirability of appointing trained Librarians, and that his other subjects would come up at different times. That being so, all I can say is that this is a matter purely of internal administration of the University, and it must be left to the University to do what it thinks best in the matter.

With these words, I would ask the mover to withdraw his motion.

The motion of Manindra Deb Rai Mahasai was then, by leave of the House, withdrawn.

Mr. W. C. WORDSWORTH: I beg to move that the demand of Rs. 5,00,251 under the head "31A—Education (Transferred)—Grants to Universities—Calcutta University" be reduced by Re. 1 (to ask whether Government has abandoned the intention of modifying the constitution of the university and setting up a separate organisation for the administration of secondary education).

Really all I have to say is contained in my brief explanation on the motion paper. This motion contains no suspicion of censoriousness. On the contrary, I associate myself entirely with the appreciative words about the Minister's work for the University that Mr. Syamaprosad Mookerjee used the other day. We who work in any capacity in the University are well aware how well Government has been treating the University in this very critical time. But about 2 or 3 years ago we were busy with legislation. I believe a Bill was drafted for the reorganisation of the system of secondary school education. Also we considered a Bill for the reorganisation of the University's constitution—a Bill put forward by the Swarajist party—and after considerable time had been spent on that, the Council assisted Government to get it put on one side because Government promised a better Bill. This Bill was drafted and put before us. We worked hard on it in the University for some time. I think—my

memory is not very clear—we worked hard on it in Select Committee, until suddenly all interest in it disappeared. I have never had any explanation, but I believe the explanation is that it was felt that we were coming into a new stage of things in the constitutional and political organisation of the province, and so it might be wise to leave it for the future. I do not know whether that is the explanation, but if the time has come for the reorganisation of our educational system, and if it is felt—I believe it is felt—by a very large proportion of educationists in Bengal that the time has come for the introduction of representative institutions into the University, then presumably 1933 or 1934 is as good a year for this as 1935 or 1936 or 1937. I repeat that I only ask for information.

Mr. SYAMAPROSAD MOOKERJEE: May I just say a few words on this motion, only to point out the different stages through which this question has passed in the University? In 1923, two Bills were introduced in this House by Mr. S. N. Mallick, who was then a member of this House, and Mr. J. N. Basu. These two Bills were sent to the University for their observation and report, and the University duly submitted their report to Government. Then, immediately after that, Government in the Ministry of Education—the Hon'ble Sir Provash Chunder Mitter was then Minister for Education—drafted a Bill for the reconstitution of the University. That Bill also was sent to the University and the University sent their observations which duly reached Government. For a few years after that, nothing was done. In 1928, the two Bills, to which Mr. Wordsworth has referred, of Dr. Pramatha Nath Banerji and Mr. Manmatha Nath Ray, both of whom were then members of this House, came before this legislature, and they were also forwarded to the University. The University sent their observations on those Bills some time towards the end of 1928. Then in 1929, another Bill was sent—five or six Bills were sent to the University in the course of a few years—to the University which was framed by Dr. Jenkins, and a Committee was appointed of which both Mr. Wordsworth and myself were members. We duly submitted an elaborate report to the Senate. In the meantime, we received instructions that perhaps it would not be possible for Government to proceed with legislation just at that stage. The report together with 150 amendments tabled by different members of the Senate, was then referred back to the Committee. That is the position with regard to the University Bill.

As regards the Secondary Education Bill, in 1922 the first proposals were sent by Government to the University, and the University reported on those proposals in that year. Then in 1926, proposals for a Board of Secondary Education were again made; a Committee of the

Senate was duly appointed, and the criticisms of the University were forwarded to Government. In 1929, a draft Secondary Education Bill, I think, framed by Dr. Jenkins, was forwarded to the University. A Committee again sat on that Bill. The report of that Committee came before the Senate and was discussed at five special sittings. The report, as amended, was duly forwarded to Government. For the last four years, it has been lying with the Government, and nothing has been done up till now. That is the position so far as the Secondary Education Bill is concerned.

Sir, I think there are two reasons why nothing has been done. One is, as has been pointed out by Mr. Wordsworth, the possibility of new constitutional changes, and the other is the financial stringency. Without financial assistance, it is no use introducing legislative measures simply to secure a change in the administrative machinery.

Maulvi TAMIZUDDIN KHAN: Sir, I agree with Mr. Wordsworth that the Hon'ble Minister owes an explanation to this House as to why it has not been possible for Government to push on with legislation regarding University reform and the formation of a Board of Secondary Education. It was on the floor of this House that Government gave a solemn promise that it was going to do something so far as legislation in these matters is concerned, and it was on that assurance that the House consented to the withdrawal of the Bills regarding the University that were before the House, as Mr. Wordsworth has already pointed out. From what Mr. Syamaprosad Mookerjee has said, it appears that the University bestowed a good deal of time, thought and labour in considering the University Bills that were drafted on behalf of Government and sent to the University. Sir, it appears that all this labour has gone in vain, not for any default on the part of the University, but on account of some reason for which Government is responsible, and owes an explanation to this House. Probably that reason is that Government could not hold out any prospect of giving financial assistance as contemplated in the Bills, and, therefore, Government thought it fit to postpone the proposed legislation. Mr. Wordsworth has said that probably the reason is that as constitutional reforms were coming very soon, it would not be of much use to push on with these Bills under the present conditions. Sir, I do not think that any of these reasons will hold good. We have seen, Sir, that in spite of the impending reforms, we have not been sitting idle in this House. We have had, I think, a very good record of legislation during the present term of the Council. The Bengal Municipal Act has been thoroughly amended—in fact, quite a new Bill has been passed, and we all know how voluminous a Bill it

was. Then the Calcutta Municipal Act and the Local Self-Government Act have also been amended, not to speak of the other pieces of legislation that have been gone through. As in those matters the attitude of Government was not that we should wait till the reforms come, why in the case of the University, should Government adopt this wait-and-see attitude? There is a considerable feeling in the House that the University Act which is a very old one requires immediate revision. In every walk of public life, there is a rapid advent of democracy, and almost all the institutions in Bengal have been democratised as far as possible according to modern needs; but it is only the University which is functioning under an old Act according to which 80 per cent. of the members of the Senate are nominated by Government. This is a very unsatisfactory state of things, and nothing would have been lost, I think, if legislation had been gone into as was promised during the present term of the Council, which, if necessary, could have been further amended after the introduction of the reforms according to public opinion that might then prevail.

Then, Sir, as regards the question of money, I do not think that so far as an important matter like this is concerned, it should be altogether postponed on financial grounds. We also do not know what would be the commitments of Government if these Bills were passed into law. Unless the Hon'ble Minister explains the exact reasons which weighed with the Government in postponing these very important and urgent measures for which there is a very considerable demand in the country, I think the motion of Mr. Wordsworth should be supported.

Dr. NARESH CHANDRA SEN GUPTA: My object in speaking on this motion is not to join hands with the others in hustling the Government into passing a Calcutta University amending Bill in this House but to draw the attention of the Council to another thing. Mr. Wordsworth has asked whether Government have abandoned their intention of setting up a separate organisation for the administration of secondary education for the whole of this province. I would only add to that one other query, whether they still propose to maintain that tiny little white elephant, namely, the Board of Secondary and Intermediate Education at Dacca. When this Board was started it was definitely understood that it was going to be part of a scheme and would be absorbed into a bigger Board of Secondary Education for the whole of Bengal to be located at Calcutta. A Board of Secondary Education for the whole province has not yet materialised and in the meantime we are maintaining the Board at Dacca at a cost of Rs. 50,000. Of course the whole of this expenditure goes not on

the Board but on other things as well, which would have to be spent, Board or no Board. This seems to me to be a striking anomaly. I would like to say that the Government have acted wisely in postponing the promised legislation on the Calcutta University and a Board of Secondary Education for the whole of this province, till we have the reforms in our midst. The expectation that after the reforms we shall have anything like the millennium—if we had any such hope before—has been altogether shattered by the White Paper. But anyway I think it will be better to have the necessary legislation introduced by the party who will be responsible for working it. Therefore I do not see that Government has acted wrongly in postponing the matter until the constitutional reforms are completed, but if that be so, they ought to have made up their minds with regard to the abolition of the Dacca Board at least; secondary education could be easily managed by other means and I do not see why this anomaly should be allowed to continue any longer.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I feel I am going to be converted to the ideas expressed by Munindra Deb Rai Mahasai about trained librarians especially after hearing what is being done and what has been done in the Madras Legislative Council about relevant facts of the day's debate being kept ready at hand so that any member can get them at short notice.

I find that Maulvi Tamizuddin Khan has suggested that Government gave no indication whatever with regard to their policy about the two Bills. But, Sir, so far as my recollection goes I gave this House to understand that Government do not intend to proceed with these two Bills; that was done so long ago as two years, if it was not done last year. I stated my reasons then why Government had given up the idea of introducing these Bills in the present Council and I may repeat them again to-day.

Before I do so, with your permission, Sir, I would like to correct the statement of Mr. Tamizuddin Khan that the University gave due consideration to the Bills that were sent to them but Government decided to take no action. As a matter of fact Government at that time did not bring in a Bill at the express request of the University as they wanted time to consider the draft Bill of Dr. Jenkins which was sent to them. The University appointed a committee, as has been said by Mr. Syamaprosad Mookerjee, and the committee's report was placed before the Senate (but it was not sent to Government —very likely it might have been due to what I stated here), but the fact is that the University has never sent their opinion on that draft Bill.

Now Mr. Tamizuddin wants to know the reason why Government did not propose to go on with the two Bills. There are two reasons: first of all, the constitution of the University could be amended in two ways. There are two ways of doing it; one was to bring in a Bill and another was to amend some of the regulations of the University and give effect to the necessary reforms in the constitution of the University. When we were considering this question we found that under the Organisation Committee's report a large number of reforms could be effected without legislation. Government in consultation with the University made certain modifications and changes in the regulations and a great deal of internal reform has accordingly already taken place in the University. The constitutions of the various Faculties and Boards have been changed and so altered that it has been possible for the heads of departments to have more control and more power. As regards those reforms which necessitate the introduction of a Bill, they have to wait until a Bill can be introduced. Now it is my considered opinion that there should not be piecemeal legislation, that is to say, a Bill for a Secondary Education Board and the Calcutta University Amending Bill should come in together or at least must follow each other very closely, and it is not advisable to bring in a Secondary Education Bill without making necessary amendments in the Calcutta University's constitution. The second thing is——

Mr. NARENDRA KUMAR BASU: Why not have both?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I am coming to that. The second reason is that, to be able to have a good Secondary Education Bill it is necessary to have a Board which would take charge of secondary education completely. The Bill that was drafted by Dr. Jenkins and sent to the University was drafted on the assumption that the University would retain control over examinations and syllabuses of courses for secondary education and this meant that there would be triple control over secondary education, namely, control by the Board of Secondary Education, by the University and the Education Department ,through their Inspectors. This was a very serious flaw in the Bill that was drafted by Dr. Jenkins and it appeared to me that instead of remedying the evil we were going to increase it. The present position is this. There is at present dual control over secondary education, control by the University and to a certain extent by Government. If we want to replace this control by triple control, by Government, by the University and a Secondary Board, it would be fundamentally wrong. The only way in which you can effectively improve secondary education in Bengal is by having an autonomous Secondary Board of Education that will have absolute control over secondary education all over Bengal. It must have the powers of

recognition and examination and prescribing syllabuses of studies. If that be so, it would be necessary to do away with the Board at Dacca and to have one Board for the whole of Bengal. I found considerable opposition in Dacca to the idea of a Board of Secondary Education in Bengal which does not possess the power of control over examinations and syllabuses. Therefore, as I have said, if you want to have a Secondary Board of Education you must have a Board which will have complete control over secondary education and this is not possible until Government are in a position to recompense the University of Calcutta for the loss in fee income they would sustain if they were to give up their control over matriculation examinations. This is where the question of finance comes in. It is not an insignificant sum but a very large one and at the present moment Government are not in a position, if I may put it crudely, to buy out the Calcutta University. That is the actual problem facing the Government. As this arrangement entails financial loss on the Calcutta University, we have got to make up that loss because it is on the expectation of the income from these fees that they have provided for post-graduate classes and incurred certain liabilities. Naturally compulsory grants should be given to them to maintain their existing activities; and if we do that, I do not think the University will object. There are greater chances of the University co-operating with the Government if the Government went up with a proposal like that, but if we simply make this proposal to them that we are going to take away their powers of control over examinations without compensating them for the loss they would very strongly object to this course. This is the main reason and a very strong one why we have not introduced a Bill for the establishment of Secondary Education Board for Bengal.

Maulvi TAMIZUDDIN KHAN: What is the fee income of the University from matric examinations?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The University make a net profit of Rs. 2½ lakhs. Therefore it is quite an impossible proposition.

We did not know that the present Council will be extended and we thought that under the new constitution the proposed Bills will have a smoother passage. The public opinion is at present as a rule against the retention of control of Government for educational institutions but in the future when Government is going to be entirely responsible to the legislature the chances are that this attitude of the public will change and they will be inclined to entrust more powers in

the hands of Government than at present and it is hoped that the University and the Secondary Education Bill introduced by autonomous Government will be acceptable to all.

Similarly, as far as the Calcutta University is concerned, as I have said, it is interdependent. If you cannot have the Secondary Education Bill it is no use having the Calcutta University Bill, because a good deal of the constitution will have to be changed if the control of the University over secondary schools is to be removed. These are the grounds why Government have not proceeded with the idea of going on with the two Bills. They were not Government Bills. They were Bills drafted by Dr. Jenkins. I hope in view of the explanation which I have given, Mr. Wordsworth will withdraw his motion.

The motion of Mr. Wordsworth was then, by leave of the House, withdrawn.

Mr. C. R. DAIN: I beg to move that the demand of Rs. 5,32,000 under the head "31A—Education (Transferred)—Grants to Universities" be reduced by Rs. 100 (to discuss the advisability of slowing down university education until primary education is further advanced).

Sir, I think the object of my motion is abundantly clear. It is to raise a discussion on the advisability of slowing down university education until primary education is further advanced. Sir, you will remember the passing of the Primary Education Bill. The group of which I am a member worked very hard to see that the Bill was on the statute book, and I can assure the members of this House that while having nothing against university education, there are many members in the group to which I belong who are extraordinarily earnest in the matter of primary education. In the first place I wish to draw attention to certain figures. I am giving round figures as far as I can in order that they may be held in the remembrance of the members of this House. In Bombay they spend on university education 20 lakhs of rupees per annum. On primary education they spend Rs. 166 lakhs. Now let us compare that with what Bengal is doing. In Bengal we spend nearly double what Bombay spends on university education, namely Rs. 36,00,000 a year, and we do not even approach half of what they spend on primary education. Bengal spends Rs. 70 lakhs a year on primary education which is less than half of what Bombay spends on such education; but it spends double the amount Bombay spends on university education. Sir, I believe you are a scion of the University and I am perfectly certain you paid for your education. I belong to a university, and I know Mr. Syamaprosad Mookerjee on

my night also belongs to a university. The University in my days was entirely supported by donations through long past generations and entirely unsupported by the State. The War took away 75 per cent. to 80 per cent. of the members of that University and consequently its finances were bound to be affected, as the donations could not be recovered. Here we are taking money from rates, cess and everywhere and we are pouring all the money for the education of those whose parents ought to pay for their education. Sir, I am no decrier of university education, but I did receive a telephone message this morning in my office to the effect that a graduate of some university was prepared to offer something, in return for some salary—some Sanskrit. However, I could not employ that man. On the other hand, I have in my works foremen—men who, if they had any knowledge of reading and writing in their own language, would have compared very favourably with such M.A.'s. Bombay spends twice of what we do on primary education. Sir, in conclusion I do not want to keep the House waiting very long. But may I say what you allowed me to say once before that there is enormous value in primary education? In this country we can build up teeming mistries as good as you can get anywhere in the world: the only things required are supervision and teaching. They rise to be head mistries; but we are unable to breed in this country the foreman class because by the time we want to make them into foremen we find that they can neither read nor write. They know all the working of the machinery but they can never be good enough to become drivers because they can never read the time-table. Sir, I maintain that just as the engineer of a regiment is the backbone of the army, so our foreman in any industry is the backbone of the country. You may have supervisors and theoretical university men but you can never replace what I think Mr. Lloyd George once called the "steel frame," and the "steel frame" here is our foremen. When I press for money for primary education it is because I want more money for the steel frame, the foremen, who come from the middleclass to which I belong. When we are looking forward to the time when the government of this country is going to be handed more and more to the people of the country, surely we should take pains about the formation of that steel frame.

* * *

Maulvi ABUL KASEM: Sir, I rise to support the motion of my friend Mr. Dain and I do so on various grounds. My primary reason for support is that the Government is not justified in incurring an extravagant expenditure on university and high education. The tax-payers who pay the money get little advantage out of it. We have heard here about the depressed classes of the Hindus and about the backward classes of Muhammadans and I want to know how it is that the Government spends an enormous amount of money for university

education of which advantage is taken only by the upper classes. (MR. SYAMAPROSAD MOOKERJEE: Which class did you belong to?) Government pays for the education of boys whose fathers are quite able to pay for it. There is no justification why the State which draws money from the cultivators of the soil and the toiling millions should pay for the education of Mr. Syamaprosad Mookerjee's sons. Sir, whenever questions about education, sanitation, medical help or anything else arise for the people of the rural area, who are our paymasters and who toil for the luxuries which the people of the upper classes indulge in, you say Government is very sympathetic, Government is doing everything in their power, but Government is helpless as there is no money; and even when you introduced primary education, you had to do it by taxing the people. But you are very liberal in the matter of university education. What I submit is that there are poor brilliant boys whose fathers cannot spend much on their education. You ought to create handsome scholarships for the education of those poor boys who deserve to be helped. But it is no good turning out graduates in mass from the *bhadralog* class at the cost of the poor cultivators. Sir, I have heard about curtailing the production of jute because the market is flooded. We know that the tea planters are burning their produce simply to keep the market steady. So the overproduction of graduates should be stopped. (A VOICE: By burning them.) Sir, we have heard that the Hon'ble Minister for Industries has got a big scheme for relief of unemployment. If you allow the ranks of the unemployed to be increased year after year in the College Square, it is no fault of ours. My main point is that those who want the best education should be made to pay for it. Those who can pay, make them pay; those who cannot pay, give them scholarships like the European Universities. It is no use giving money indiscriminately. There is no justification for millionaires' sons getting their education paid for by the State.

One word more, Sir. As regards the Calcutta University, I have got one complaint to make. The other day Mr. Jitendralal Bannerjee with his usual eloquence—and I would say he was more eloquent that day than on any other—in censuring the Hon'ble Minister for Education, charged him with communal bias in making appointments.

Mr. PRESIDENT: That point does not arise.

Maulvi ABUL KASEM: To-day I charge the Calcutta University with communal bias in the matter of education. Sir, the Calcutta

University employs a large number of people and I think I am right in saying——

Mr. P. BANERJI: On a point of order, Sir——

Mr. PRESIDENT: Do not be anxious, I am wide awake. (Laughter.)

Maulvi ABUL KASEM: But it is a matter of regret that not a single Muhammadan is to be found so far as the University office is concerned.

Mr. PRESIDENT: Please do not labour that point.

Maulvi ABUL KASEM: And, Sir, when they appointed a Registrar——

Mr. PRESIDENT: Order, order. (Laughter.)

Maulvi ABUL KASEM: Then I have nothing further to say. (Renewed laughter.)

Mr. NARENDRA KUMAR BASU: Sir, it is 1 o'clock and I think that we should now adjourn.

Mr. PRESIDENT: The House will remember that on Saturday last I adjourned the Council half an hour earlier to meet the wishes of the non-official members. As a result of that they have lost half an hour out of the time that was allotted for the disposal of the various cut motions. If they are prepared to lose another half an hour, I have no objection.

The Hon'ble Sir PROVASH CHUNDER MITTER: If the members are prepared to lose half an hour, it is their affair.

Adjournment.

The Council was then adjourned till 3 p.m. on Monday, the 27th March, 1933, at the Council House, Calcutta.

P[illegible] of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Monday, the 27th March, 1933, at 3 p.m.

Present:

MR. President (the Hon'ble Raja Sir MANMATHA NATH RAI CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 97 nominated and elected members.

STARRED QUESTIONS

hich oral answers were given)

Definition of the Depressed Classes.

*79. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether it is a fact that the Prime Minister's Award contemplated that there should be a definition of the Depressed Classes for each province and that, as a general rule, this definition should be based upon the principles advocated in the Franchise Committee's Report?

(*b*) What is the definition which the Government has adopted in this province?

(*c*) Is that definition based upon the tests laid down in paragraphs 285 and 286 of the Franchise Committee's Report?

(*d*) If there is any deviation—

(*i*) what are the reasons for such deviation; and

(*ii*) whether the approval of His Majesty's Government has been obtained for such departure from principles sanctioned by them?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) The Prime Minister's Award contemplated a definition based on the criteria advocated by the Franchise Committee only in those provinces where the criteria were suitable. It is definitely stated in the Award that modifications may be found necessary in some provinces in Northern India where the application of the general criteria of untouchability might result in a definition unsuitable to the special conditions of the province.

(*b*) and (*c*) No definition has been adopted by the Government of Bengal for the term "Depressed Classes." The member is referred to paragraph 4 of the Bengal Government Resolution No. 122-A.R., dated the 16th January, 1933, in which it is stated that a list of the "Scheduled Castes" has been prepared on the basis of the social and political backwardness of the castes, and the necessity of securing for them special representation in order to protect their interests.

(*d*) (*i*) The criteria suggested by the Franchise Committee would not be suitable for the province.

(*ii*) Paragraph 9 of the Prime Minister's Award permits deviation from the tests laid down by the Franchise Committee.

Babu JITENDRALAL BANNERJEE: With reference to the suggestion in answer (*a*) that the modification of the criteria may be necessary in some provinces, did not the Prime Minister's Award contemplate that certain criteria ought to be laid down all the same?

The Hon'ble Mr. W. D. R. PRENTICE: That is a question of interpretation of the meaning of the Award.

Babu JITENDRALAL BANNERJEE: Was it not definitely suggested in the Prime Minister's Award that the criteria should be laid down generally on the lines of the Franchise Committee's Report?

The Hon'ble Mr. W. D. R. PRENTICE: I do not think so. That is a matter of interpretation.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member deny that, according to the Prime Minister's Award, the criteria should generally follow on the lines of the Franchise Committee's Report and that the Prime Minister's Award distinctly says that the criteria have to be so laid down, but that deviation might be permitted in some cases?

The Hon'ble Mr. W. D. R. PRENTICE: I will read paragraph 9 of the Prime Minister's Award at least the part of it which refers to this point:—

"The precise definition in each province of those who (if electorally qualified) will be entitled to vote in the special depressed class constituencies has not yet been finally determined. It will be based as a rule on the general principles advocated in the Franchise Committee's Report. Modification may, however, be found necessary in some provinces in Northern India where the application of the general criteria of untouchability might result in a definition unsuitable in some respects to the special conditions of the province."

Babu JITENDRALAL BANNERJEE: What are the modifications of the criteria—the criteria laid down in the Franchise Committee's Report—have been made by this Government?

The Hon'ble Mr. W. D. R. PRENTICE: I would refer the hon'ble member to paragraph 4 of the Government Resolution.

Babu JITENDRALAL BANNERJEE: Paragraph 4 speaks of social and political backwardness. Will the Hon'ble Member agree when I say that the terms are rather vague and that they require being defined themselves?

The Hon'ble Mr. W. D. R. PRENTICE: Social and political backwardness is the phrase which the Government have used.

Babu JITENDRALAL BANNERJEE: How is that to be determined? Did not the Prime Minister's Award require you to lay down these criteria?

The Hon'ble Mr. W. D. R. PRENTICE: I have said previously in the Council that after we have considered all the representations that have come in, we will come out with a definite statement.

Babu JITENDRALAL BANNERJEE: Sir, I submit, my question has not been answered. I want to know what are the criteria that Government have laid down for determining the social and political backwardness?

The Hon'ble Mr. W. D. R. PRENTICE: I am not prepared to go beyond the phrase used in the Government Resolution.

Babu JITENDRALAL BANNERJEE: But I want to know by what criteria are you to determine the social and political backwardness? Is it not a question which the Franchise Committee's and the Prime Minister's Award require the Government to define?

The Hon'ble Mr. W. D. R. PRENTICE: I do not think any such statement appears in the Prime Minister's Award.

Reverend B. A. NAG: With reference to (*b*) and (*c*), will the Hon'ble Member be pleased to say whether the Garo, the Sonthal, the Oraon and the Munda have been classified as tribes or as castes?

The Hon'ble Mr. W. D. R. PRENTICE: I would refer the hon'ble member to paragraph 5 of the Government Resolution.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether the Government have received any representation from any recognised public associations in Bengal that the criteria advocated by the Franchise Committee were not suitable for Bengal?

The Hon'ble Mr. W. D. R. PRENTICE: I am afraid there are somewhere about 500 representations and I propose to devote some time in Darjeeling to seeing what they contain.

Mr. SHANTI SHEKHARESWAR RAY: That is not my question. My question is whether the Government of Bengal in advocating a different criteria have received any representation from any recognised public association in Bengal to the effect that the definition advocated by the Franchise Committee was not suitable.

The Hon'ble Mr. W. D. R. PRENTICE: If the hon'ble member means "did Government adopt this basis on the application of somebody else?" the answer is "no" as far as I know.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state why did they then adopt a different criteria?

The Hon'ble Mr. W. D. R. PRENTICE: Government considered the circumstances of the province came within the terms of the Prime Minister's Award and decided that untouchability was unsuitable as a basis and they had to frame their own basis.

Babu JITENDRALAL BANNERJEE: Why is it that the Government consider untouchability unsuitable as a basis?

The Hon'ble Mr. W. D. R. PRENTICE: Because they think that circumstances of Bengal are such that it is unsuitable.

Babu JITENDRALAL BANNERJEE: What are the circumstances which make them unsuitable?

The Hon'ble Mr. W. D. R. PRENTICE: The discussion about *Jalchal*, *Jalachal* and such things has been perfectly interminable.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to inform us whether the Government of Bengal dropped the term "depressed classes" in favour of the term "scheduled castes" because they thought it was politically expedient to do so?

The Hon'ble Mr. W. D. R. PRENTICE: The term "depressed classes" led to so much discussion and dispute that we thought the simplest thing would be to make out a list of "castes" who are politically and socially backward and put this list in a schedule. It will be seen that the White Paper has adopted this term and it has evidently been accepted by His Majesty's Government for all provinces.

Mr. NARENDRA KUMAR BASU: Is the Government of Bengal patting itself on the back that its newly-coined phrase has been adopted in the White Paper?

The Hon'ble Mr. W. D. R. PRENTICE: I think the White Paper shows that our suggestion is acceptable.

Mr. SHANTI SHEKHARESWAR RAY: Have the Government come to the present decision after the Communal Award was modified by the Poona Pact?

The Hon'ble Mr. W. D. R. PRENTICE: No. It was before the Poona Pact because the decision was arrived at before I went on leave and the Poona Pact was effected when I was on leave.

Mr. SHANTI SHEKHARESWAR RAY: Had Mahatma Gandhi any knowledge of this decision of the Government of Bengal?

The Hon'ble Mr. W. D. R. PRENTICE: I do not know what Mahatma Gandhi had knowledge of.

Mr. SHANTI SHEKHARESWAR RAY: Have the Government of Bengal informed the Prime Minister about the decision of the Government of Bengal in this connection?

The Hon'ble Mr. W. D. R. PRENTICE: From the fact that it appears in the White Paper I think one might take it that the Government at home did know all about it.

Depressed Classes.

*89. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether it is a fact that the Franchise Committee asked the Government to supply a list of castes and sub-castes which it considered to be depressed, applying the criteria of untouchability and unapproachability (including such disabilities as refusal of entry to public eating houses)?

(*b*) Was the Statement C reproduced at pages 220-221 of the Franchise Committee's Report (Volume II) supplied by the Government in response to such query?

(c) If the answer to (b) is in the affirmative, were the Government satisfied that all the various castes included in that statement fulfilled the criteria mentioned in (a)?

The Hon'ble Mr. W. D. R. PRENTICE: (a) Yes.

(b) and (c) Yes, but in reply to question 11 of their additional questionnaire the Franchise Committee was informed that the list of castes to be included in the "Depressed Classes" was at present under revision and that it would be impossible to arrive at any decision regarding the final list before the date fixed by the Franchise Committee. In point of fact Government never did submit a final list to the Franchise Committee.

Babu JITENDRALAL BANNERJEE: Did not the Franchise Committee ask the Government of Bengal to submit a list prepared with reference to certain criteria?

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice.

Babu JITENDRALAL BANNERJEE: May I inquire whether the Franchise Committee asked the Government of Bengal to submit a list?

The Hon'ble Mr. W. D. R. PRENTICE: Yes they did.

Babu JITENDRALAL BANNERJEE: Was that list ever submitted?

The Hon'ble Mr. W. D. R. PRENTICE: I refer the hon'ble member to the last sentence of answer (b) and (c).

Babu JITENDRALAL BANNERJEE: Was that list ever submitted?

The Hon'ble Mr. W. D. R. PRENTICE: I cannot make my answer clearer than what I have said in the printed answer.

Babu JITENDRALAL BANNERJEE: I was asking whether Government did submit a list—not necessarily the final list—but a list to the Franchise Committee.

The Hon'ble Mr. W. D. R. PRENTICE: We have never submitted a final list.

Babu JITENDRALAL BANNERJEE: This is no answer to my question.

Classification of castes.

*81. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether the Rajbansis were included among "the Depressed Classes" according to the Census of 1931, as given by the Government in their Statement C reproduced at pages 220-221 of the Franchise Committee's Report, Volume II?

(*b*) If the answer to (*a*) is in the negative—

(*i*) what was the reason for this exclusion, and

(*ii*) what are the reasons which have led to their re-inclusion in the provisional list published in the *Calcutta Gazette* of the 19th January, 1933?

(*c*) Is it a fact that the Franchise Committee in paragraph 297 of their Report expressed a definite opinion that the Rajbansis should be excluded from the Depressed Classes?

(*d*) If the answer to (*c*) is in the affirmative, why has that opinion been disregarded?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) No, but the Committee were informed by a telegram on the 16th April, 1932, that Rajbansis should be included.

(*b*) (*i*) They were not excluded—*vide* answer to (*a*).

(*ii*) They are included in a list of "Scheduled Castes" for the reason given in paragraph 4 of Resolution No. 122-A.R., dated the 16th January, 1933.

(*c*) Yes.

(*d*) *Vide* answer to (*b*) (*ii*).

Babu JITENDRALAL BANNERJEE: With reference (*b*) (*i*), will the Hon'ble Member be pleased to state whether the Rajbansis were ever included in that list?

The Hon'ble Mr. W. D. R. PRENTICE: I would refer the hon'ble member to answer (*a*).

Babu JITENDRALAL BANNERJEE: My question is whether they were previously included.

The Hon'ble Mr. W. D. R. PRENTICE: I am sorry Mr. Bannerjee and I should differ in the interpretation of the English language. They were not at first included, but the committee were informed by a telegram that Rajbansi should be included.

Babu JITENDRALAL BANNERJEE: In the original list were they not included?

The Hon'ble Mr. W. D. R. PRENTICE: No, they were included afterwards.

Babu JITENDRALAL BANNERJEE: What was the reason for the addition?

The Hon'ble Mr. W. D. R. PRENTICE: Answer to (*b*) (*ii*) is sufficient answer to that.

Babu JITENDRALAL BANNERJEE: But I want to know why were they not included before?

The Hon'ble Mr. W. D. R. PRENTICE: I cannot give the reason, it was so long ago.

Babu AMULYADHAN RAY: Will the Hon'ble Member be pleased to state whether it is not a fact that an anti-untouchability movement has been started in Bengal by the so-called caste people?

The Hon'ble Mr. W. D. R. PRENTICE: I am afraid I do not know.

Classification of castes.

*82. **Babu JITENDRALAL BANNERJEE:** (*a*) Has the attention of the Hon'ble Member in charge of the Appointment Department been called to the fact that the following castes claim to be Kshatriyas, viz.—

(1) Bagdi,

(2) Jhalo Malo,

(3) Kochh,

(4) Pundari, and

(5) Pod?

(*b*) If the answer to (*a*) is in the affirmative, what are the reasons for their being classed among the Depressed Classes?

(*c*) Has the attention of the Government been drawn to the fact that the Bhuimalis and Kapalis claim to be considered as Vaisyas?

(*d*) If the answer to (*c*) is in the affirmative, are the Government considering the desirability of excluding them from the list of Depressed Castes?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) Some of the members of these castes have made claims to be Kshatriyas.

(*b*) They have not been classed among the "Depressed Classes" but among the "Scheduled Castes" as they appear to satisfy the criterion given in paragraph 4 of the Bengal Government Resolution No. 122-A.R., dated the 16th January, 1933.

(*c*) Some members of these castes have claimed that "Vaishya" should be added to the caste name.

(*d*) This will be decided with respect to the list of "Scheduled Castes" when the replies invited in the Resolution referred to above have been considered.

Babu JITENDRALAL BANNERJEE: Is not there a large section even in the Brahmin community who are socially and politically backward?

The Hon'ble Mr. W. D. R. PRENTICE: That is a matter of opinion.

Babu JITENDRALAL BANNERJEE: Will they be included in the scheduled castes?

The Hon'ble Mr. W. D. R. PRENTICE: I have already said that our final decision will be announced later.

Mr. SHANTI SHEKHARESWAR RAY: Is the Hon'ble Member aware that Sir A. K. Ghuznavi promised to consult the Brahmins before giving a decision at a session of this Council?

The Hon'ble Mr. W. D. R. PRENTICE: I am not aware that Sir A. K. Ghuznavi ever had anything to do with the list of the scheduled castes.

Mr. SHANTI SHEKHARESWAR RAY: Is the Hon'ble Member in a position to deny that the question was dealt with by his colleague in this Council?

The Hon'ble Mr. W. D. R. PRENTICE: I deny that Sir A. K. Ghuznavi has had anything to do with the scheduled castes. It is my job.

Babu AMULYADHAN RAY: Will the Hon'ble Member be pleased to say whether it is not a fact that the Hon'ble Sir A. K. Ghuznavi said that the opinion of the members of the scheduled castes would be taken and not of the Brahmins?

The Hon'ble Mr. W. D. R. PRENTICE: As I have said I do not think Sir A. K. Ghuznavi ever dealt with the question of the scheduled castes.

Mr. SHANTI SHEKHARESWAR RAY: Does the Hon'ble Member deny that he ever dealt with the question of depressed classes in this very Council?

The Hon'ble Mr. W. D. R. PRENTICE: We have nothing to do now with the depressed classes. We have got a new classification now—the scheduled castes.

Scheduled castes.

*83. **Mr. B. C. CHATTERJEE:** With reference to the list of scheduled castes published by the Government of Bengal, will the Hon'ble Member in charge of the Appointment Department be pleased to state—

(*i*) who were the authorities consulted in the preparation of the list;

(*ii*) whether—

(1) the Census Superintendent of Bengal, or

(2) the Census Commissioner for India was consulted in the preparation of the list;

(*iii*) if not, the reason for not consulting them;

(*iv*) whether in drawing up the list, the recommendations of the Franchise Committee were followed;

(*v*) if not, the reason therefor;

(*vi*) why the Rajbansis, who were excluded from the list of Depressed Classes submitted by the Government of Bengal to the Franchise Committee, have now been included; and

(*vii*) whether the Rajbansis do not claim to be Kshatriyas?

The Hon'ble Mr. W. D. R. PRENTICE: (*i*) The list was prepared after considering previous reports and obtaining information from various sources.

(*ii*) and (*iii*) No. Constitutional issues are not normally the concern of the Census authorities.

(*iv*) No.

(v) The reason has been given in paragraph 3 of the Resolution No. 122-A.R., dated the 16th January, 1933, published in the *Calcutta Gazette*.

(vi) Because they appear to come under the conditions given in paragraph 4 of the Resolution quoted above.

(vii) Some do in a limited sense.

Mr. NARENDRA KUMAR BASU: With reference to answer (i), will the Hon'ble Member be pleased to give us some of these "various sources"?

The Hon'ble Mr. W. D. R. PRENTICE: The files which are in the possession of Government.

Mr. NARENDRA KUMAR BASU: Was any body outside Government consulted?

The Hon'ble Mr. W. D. R. PRENTICE: No.

Mr. S. M. BOSE: With reference to answer (vii) what is "the limited sense" which Rajbansis claim?

The Hon'ble Mr. W. D. R. PRENTICE: I shall read out a note that was appended to a letter from the Secretary of some Rajbansis' Association:—

"It is to be noted here that the term 'Kshatriya' joined with their name 'Rajbansi' indicates that they are invoking the influence of the name 'Kshatriya' to raise themselves from their present miserable conditions fixing their aim to the virtues of the "Kshatriya."

Mr. S. M. BOSE: Is the Hon'ble Member aware that the Rajbansis in the Census of 1911 and 1921 prayed to be excluded from the list?

The Hon'ble Mr. W. D. R. PRENTICE: I do not know what they did in connection with the Census of 1911 and 1921.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether it is the intention of Government to base their final decision on the basis of information gathered from their files?

The Hon'ble Mr. W. D. R. PRENTICE: Certainly.

Scheduled castes.

*84. **Mr. S. M. BOSE:** With reference to the list of Scheduled Castes in Resolution No. 122-A.R., published in the *Calcutta Gazette* of the 19th January, 1933, will the Hon'ble Member in charge of the Appointment Department be pleased to state—

(*i*) on what principle the list has been drawn up;

(*ii*) why, as stated in paragraph 4 of the above Resolution, the Government consider that "the application of the general criterion of untouchability will result in a definition of Depressed Classes unsuitable to the special conditions of Bengal";

(*iii*) in what respect the criterion of untouchability and unapproachability laid down by the Indian Franchise Committee (paragraph 297), is unsuitable for a definition of such classes in Bengal;

(*iv*) what the "special conditions of Bengal" referred to in the said paragraph 4 of the above Resolution are;

(*v*) the total population of the Scheduled Castes in the said list;

(*vi*) whether such total population of these castes has been included in the total Hindu population of Bengal;

(*vii*) whether the said list is confined to Hindus alone;

(*viii*) whether there are any Muhammadans in the said list;

(*ix*) whether he is aware of the view accepted by the Indian Franchise Committee that "the aboriginals are an entirely distinct community from the Depressed Classes and that under no circumstances should the two communities be amalgamated for the purposes of representation";

(*x*) whether he is aware of the view of the Indian Franchise Committee that "it is of the greatest importance that the interests of the aboriginal tribes, who live a life entirely different from the rest of the population of India, should be protected by effectual representation in the Council or, if that is not possible, by some other arrangement in the new constitution";

(*xi*) whether aboriginal tribes have been included in the said list;

(*xii*) if so, the reason therefor, in face of the opinion of the Indian Franchise Committee;

(*xiii*) whether, in the premises, the aboriginal tribes should not be separated from the Depressed Classes; and

(*xiv*) whether the Government, in defining Depressed Classes, will adopt the test laid down by the Indian Franchise Committee? If not, why not?

The Hon'ble Mr. W. D. R. PRENTICE: (*i*), (*ii*), (*iii*), (*iv*), (*xiii*) and (*xiv*) The member is referred to paragraph 4 of the Resolution to which at present Government have nothing to add.

(*v*) 9,941,080.

(*vi*) and (*vii*) Yes, all but about 5 per cent., mostly under tribal religions.

(*viii*) No.

(*ix*) The Committee suggested that this view should be accepted, but they also stated that they had been unable to make any adequate investigation of the subject and were therefore unable to put forward definite proposals.

(*x*) Yes.

(*xi*) Some aboriginal tribes and groups of aboriginal derivation have been included.

(*xii*) Because the Government of Bengal are no longer concerned with "Depressed Classes" but are preparing a list of "Scheduled Castes."

Mr. S. M. BOSE: With reference to (*viii*) is it a fact that the list includes the Muhammadan castes of Dhoba, Halalkar, and Lalbagi and others?

The Hon'ble Mr. W. D. R. PRENTICE: These have been cut out. Care has been taken to exclude them from the figures.

Babu JITENDRALAL BANNERJEE: With reference to answer (*ix*) are the aboriginals regarded as Hindu castes.

The Hon'ble Mr. W. D. R. PRENTICE: I can only refer the hon'ble member to paragraph 5 of the Government Resolution.

Babu JITENDRALAL BANNERJEE: I submit that it is no answer. It is a mockery of an answer.

The Hon'ble Mr. W. D. R. PRENTICE: I object to that term. The Resolution is before you and the Government has stated in paragraph 5 what they have included in the list of scheduled castes.

Babu JITENDRALAL BANNERJEE: Are they to be regarded as Hindu castes? That requires a plain answer if the Hon'ble Member does not try to evade the responsibility of an answer.

The Hon'ble Mr. W. D. R. PRENTICE: We have included them under that term only for constitutional purposes.

Babu JITENDRALAL BANNERJEE: Were they not included for swelling the number of depressed classes.

The Hon'ble Mr. W. D. R. PRENTICE: No, they were included because they were socially and politically backward.

Mr. SHANTI SHEKHARESWAR RAY: Is there any reference to the scheduled castes in connection with the Poona Pact?

The Hon'ble W. D. R. PRENTICE: So far as I am aware there is not.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether Government considers that for that reason the Poona Pact should stand?

The Hon'ble Mr. W. D. R. PRENTICE: I am afraid the Poona Pact is not a matter for this Government to decide.

Scheduled castes.

*85. **Mr. ANANDA MOHAN PODDAR:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state how the social and political backwardness of the Scheduled Castes, a list of which was published in the *Calcutta Gazette*, dated the 19th January, 1933, has been determined?

(*b*) Is it a fact that the test of untouchability has not been adopted by the Government of Bengal in selecting the Scheduled Castes?

(*c*) If the reply to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons for not doing so?

(*d*) Will the Hon'ble Member be pleased to state whether all the 87 castes included in the Scheduled List, are not Depressed Classes on the criterion of untouchability?

(*e*) If the answer to (*d*) is in the negative, will the Hon'ble Member be pleased to state which of them are untouchables and which are not?

(*f*) Are they untouchables to the caste Hindu or is untouchability in existence amongst these 87 castes between themselves also?

(*g*) Will the Hon'ble Member be pleased to state whether the opinion of the caste Hindus has been ascertained in order to find out which are untouchables among the Hindus?

(*h*) Will the Hon'ble Member be pleased to state whether any attempt has been made to ascertain whether all these 87 scheduled castes are socially and politically backward or not?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) On the basis of the information in the possession of Government.

(*b*) Yes.

(*c*) *Vide* paragraph 4 of the Government of Bengal Resolution No. 132-A.R., dated the 16th January, 1933.

(*d*), (*e*) and (*f*) Government have not decided to which of these castes the criterion of untouchability applies. Untouchability was not made the test in compiling the list.

(*g*) No.

(*h*) Yes.

Mr. NARENDRA KUMAR BASU: In answer to a supplementary question the Hon'ble Mr. Prentice has just stated that in coming to a final decision regarding the final list Government will act on the information in their possession and I find the same thing repeated in answer (*a*) to this question. May I ask the Hon'ble Member whether the publication of the list calling for opinion is a mere eye-wash?

The Hon'ble Mr. W. D. R. PRENTICE: Not a bit. The information received in response to the resolution will be additional information which will be used in coming to a final decision.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether in coming to a decision Government will give more stress on political backwardness or on social backwardness?

The Hon'ble Mr. W. D. R. PRENTICE: I should think on both.

Depressed Classes.

*86. **Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state—

(*i*) the number of Depressed Classes in Bengal as recorded in the census of 1921 and in the census of 1931, respectively; and

(*ii*) whether the principle of classification followed was the same in both cases?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Member be pleased to state the principle that was followed, and if the answer is in the negative, will the Hon'ble Member be pleased to state the different principles followed and the reasons for it?

(*c*) In the resolution regarding Scheduled Castes as published in the *Calcutta Gazette* of the 19th January, 1933, have the Government followed any of the principles previously followed in connection with the last two censuses?

(*d*) If the answer to (*c*) is in the negative, will the Hon'ble Member be pleased to state the reason for such departure?

(*e*) What are the special conditions of Bengal (as noted in Resolution No. 122A.R.) which led the Government to divert from the general principles of classification laid down by the Indian Franchise Committee?

(*f*) Is it a fact that according to the criteria laid down by the Indian Franchise Committee there is no Depressed Class in Bengal except the Bhuimalis?

(*g*) Will the Hon'ble Member be pleased to state—

(*i*) why the word "Depressed" is substituted by the word "Scheduled" in the Government Resolution; and

(*ii*) whether it is due to the fact that caste people in Bengal resent to be styled as Depressed?

(*h*) Will the Hon'ble Member be pleased to state—

(*i*) which are the castes who have so far objected to being included in the Scheduled Castes; and

(*ii*) whether the Government are considering the desirability of giving effect to their objections?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) (*i*) The figures are:—1921—11,216,911.

The Census Report for 1931 has not yet been published.

(*a*) (*ii*) and (*b*) Until the Census Report is published, Government are unable to answer these questions.

(*c*), (*d*) and (*e*) The member is referred to paragraph 4 of the Resolution referred to.

(*f*) No.

(*g*) (*i*) and (*ii*) The word "Scheduled" has been adopted as the castes are to be entered in a schedule for electoral purposes—*vide* paragraph 4 of the Resolution.

(*h*) (*i*) The representations are being examined and it is not yet possible to answer this question.

(*ii*) The matter is under consideration.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state if the statement (*e*) reproduced on pages 220-221 of the Franchise Committee Report followed the Census Report of 1931 as regards the depressed classes?

The Hon'ble Mr. W. D. R. PRENTICE: I am sorry I do not understand the question.

Babu SATISH CHANDRA RAY CHOWDHURY: In submitting their report to the Franchise Committee, did the Government of Bengal prepare their list from the Census figures of 1921 and 1931?

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice. I certainly do not think that 1931 Census figures were taken into consideration. If I recollect aright the Franchise Committee was wandering about the country when the Census of 1931 was being taken.

Babu SATISH CHANDRA RAY CHOWDHURY: With reference to answer (*e*) will the Hon'ble Member be pleased to state whether the political and social backwardness were considered to be conditions special to Bengal?

The Hon'ble Mr. W. D. R. PRENTICE: We have stated that we did not think untouchability a suitable criterion and so in accordance with the Prime Minister's communal decision we decided to proceed on the basis of social and political backwardness.

Babu SATISH CHANDRA RAY CHOWDHURY: Is the Hon'ble Member aware that social and political backwardness are not the special condition of Bengal and that they are to be found everywhere?

The Hon'ble Mr. W. D. R. PRENTICE: Yes, I imagine there are similar conditions everywhere else.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether it is a fact that if the Government had followed the Franchise Committee's basis the figure for backward classes would have been very small?

The Hon'ble Mr. W. D. R. PRENTICE: It was found impossible to adopt the basis of the Franchise Committee's Report. So we decided to introduce the basis of political and social backwardness.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Holiday for the English New Year's Day.

70. Mr. R. MAITI: (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to state—

(*i*) whether it was the usual practice of the Government to observe one day as a close holiday for the English New Year's Day;

(*ii*) whether it is a fact that in the list of days to be observed in the year 1933 as close holidays, two days have been set apart as holidays for the English New Year's Day?

(*b*) Is it in order to avoid the difficulty arising out of the English New Year's Day having fallen on a Sunday, that the holiday for the English New Year's Day was actually observed on the day following, viz., on Monday?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state whether it is in the contemplation of Government to follow the same practice in the case of the Bengali New Year's Day, which coincides with the Good Friday holidays?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (*a*) (*i*) (*ii*) and (*b*) Yes.

(*c*) No.

Depressed class.

71. Babu SUK LAL NAG: (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state the principles upon which Government have classified certain castes of Bengal as "Depressed class" with reference to the impending constitutional changes in India?

(*b*) Is the Hon'ble Member aware that a very large section of the Hindus in Bengal considers this kind of political caste system as dangerous and derogatory and holds that in theory it is not reform but retrogression?

(*c*) Which castes according to Government are "Untouchable"?

(*d*) What is the definition of "Untouchability" and "Depressed classes" according to Government with reference to impending constitutional changes in India?

The Hon'ble Mr. W. D. R. PRENTICE: (a) Government have not classified any castes of Bengal as "Depressed classes." They have prepared a list of Scheduled Castes on the basis of the social and political backwardness of the castes, and the necessity of securing for them special representation in order to protect their interests.

(b) Opinions on the list were invited and are under examination.

(c) Government have not classified any castes as "Untouchable."

(d) Government have not found it necessary to adopt any definition of "untouchability" or of the "Depressed classes" in connection with the impending constitutional changes.

Alaipur Khal.

72. Babu SUK LAL NAG: (a) Will the Hon'ble Member in charge of the Irrigation Department be pleased to state the reasons for putting off the scheme regarding the re-excavation of Alaipur Khal as reported on page 133 of the Council Proceedings of 9th July, 1926?

(b) Will the Hon'ble Member be also pleased to give an idea as to the time when the scheme will be taken up in view of the assurance given by the then Irrigation Member?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Ghuznavi): (a) Funds have not been available and in any case Government are not satisfied that an expenditure amounting to about 3¼ lakhs of rupees on this scheme would be justified by results.

(b) Government are unable to say when it is likely to be taken up, if at all.

DEMAND FOR GRANT.

31—Education (Transferred.)

Mr. SYAMAPROSAD MOOKERJEE: Sir, on Saturday morning we were discussing a resolution moved by Mr. Dain which raises a question of fundamental importance to the future educational progress of this presidency. Mr. Dain is of the opinion that it would be desirable to curtail the facilities which are now available for University education, or as he put it, to slow down University education until primary education has made considerable progress. I do not think that there is any one in this House who would not agree with Mr. Dain that it is desirable in the interest of national efficiency that far greater provision should

be made for primary education. But the question regarding which a controversy is bound to arise is whether such provision should be made at the sacrifice of University education or whether it would not be desirable for every party in this House to combine and call upon the Government to pursue an educational policy which would look equally to the interest of all the three different stages of education, primary, secondary, and University. Mr. Dain has placed certain figures before the House which it is my duty to challenge, and I claim I shall be able to prove that when Mr. Dain placed those figures before the House, he did not know what exactly the situation was. We find Mr. Dain referring to the condition of things existing in England. Mr. Dain states that, so far as England is concerned, the Universities do not receive grants from the Government, at any rate, they do not receive grants to any appreciable extent. Mr. Dain said—I took it down—that in his days the Universities did not receive any support from the public funds.

Mr. G. R. DAIN: On a point of personal explanation, Sir, I said my University of Cambridge.

Mr. SYAMAPROSAD MOOKERJEE: Very well, I accept his statement. But even with regard to Cambridge, he was very clever in not stating whether it was receiving any aid to-day. I do not want to take much time of the House by referring to what Mr. Dain said, but the impression he wanted to create was to the effect that the British Universities did not receive any appreciable State-aid. And that statement I am definitely going to challenge. I would refer Mr. Dain to a book written by a distinguished Professor of Political Science, Dr. Barker, of the very University to which Mr. Dain belongs, where this question is dealt with very fully. It says—

"The State makes annual contributions on a considerable scale to the incomes of all the British Universities, including Oxford and Cambridge; the modest subsidy of £15,000 voted by Parliament in 1889, has now grown to £1,800,000."

In another portion of the book, which I would ask Mr. Dain to go through, we find it stated that the total income of British Universities to-day is over £5 millions or roughly about Rs. 7 crores; nearly half of it is provided from public funds, and 36 per cent. of it, that is, a sum of about 1 crore and 25 lakhs, annually comes from Government grants mainly distributed through the University Grants Committee. Surely, this shows that not only was Mr. Dain's statement wrong but he was trying to place a point of view before this House, which is unsupported by British public opinion, including the great University to which he belongs. The other day, he was supported here by Mr. Abul Kasem whom however I never take very seriously, although I

realise that he occupies the same position in this House as one of his distinguished friends does in the Legislative Assembly, I mean Mr. Kabiruddin Ahmed. Mr. Dain further stated that the luxury of having University education must be borne by the people who wanted to have it. That is, he added what generally happens in England also. Here, again, he was hopelessly wrong, for I find in another place in the book from which I have quoted that access to the University for poor students is provided by a system of scholarships and bursaries, awarded by Government, Universities and other educational authorities. Twenty thousand out of a total of 44,000 students reading to-day in the English Universities are assisted in this way. That shows that at any rate in Great Britain where, as I said on a previous occasion, the average *per capita* income is many times more than the average *per capita* income in India, about 50 per cent. of the students receiving University education do get some sort of assistance. Mr. Dain is nodding his head. I am not prepared to accept anything by his mere nodding. I can lend some books to him, and if he reads them, next time when he comes to this Council he will be, I am sure, nodding his head in approval.

Let us come to the figures so far as this country is concerned. The point which I want to make out is that while I do feel along with every elected Indian member of this House that it must be the concern of Government to support primary education much more than what they are doing to-day, it is also true that the Government of Bengal do not spend on University education any such extravagant sum which requires to be reduced for the purpose of diverting it to the channel of primary education. Sir, I have not been able to follow what Mr. Dain exactly means when he says that University education should be slowed down. What does he mean by University education? In Bengal the University is responsible for directly imparting instruction to a large number of students both in Calcutta and Dacca. Secondly, under the University there exist about 50 affiliated colleges. Thirdly, the University also controls secondary education which is administrated by about 1,100 schools throughout the length and breadth of Bengal and Assam. I take it that when he says that University education should be slowed down, he means education controlled by the University, including collegiate and secondary education, should be slowed down with a view to advancing primary education. If we take the case of the grant to the Universities it is not a crore and twenty-five lakhs of rupees as is made to the British Universities at Home. The Universities in Bengal receive a grant of about Rs. 10 lakhs and a half, half of which goes to the Calcutta University. The Calcutta University spends annually about Rs. 23 lakhs, of which a sum of Rs. 3 lakhs comes from endowments and the balance from fees. The Dacca University is, of course, largely maintained by Government where the fee income is comparatively small, as it must necessarily be, the area

being very small. The justification of the Dacca University is a question into which I do not want to enter here, but even Mr. Dain will not venture to suggest the curtailment of its grant. As regards collegiate education, what are the figures? We find that Rs. 54 lakhs are spent on collegiate education from all sources, including Government grant. Government spend about Rs. 27 lakhs. About Rs. 10 lakhs go to the maintenance of the professional colleges. I dare say Mr. Dain does not contemplate the idea of closing down the Sibpur College or the Medical College. As regards the balance, I find that Rs. 15 lakhs are spent for the maintenance of about 10 Government colleges. So far as this question is concerned, we on this side of the House have continually pressed for deprovincialisation. We want that this sum should be made available to all the colleges in the province and not to a chosen few. So far as the other colleges are concerned where 17,000 out of 20,000 students receive education, Government do not find it possible to spend more than Rs. 2,32,000. It is deplorable that the Government of Bengal have for reasons best known to themselves stopped the non-recurring grant of Rs. 1,29,000 which was distributed to the private colleges for many years past. Let us now take secondary education. The total expenditure on this head is about Rs. 1 crore and 25 lakhs, of which only Rs. 25 lakhs, a maginificient sum, are paid by Government and the rest is met from fees and other sources. I do not know whether Mr. Dain has heard of the Hartog Committee. I hope he has. From the report of that committee it appears that the proportion of Government grant for secondary education has been increasing everywhere excepting Bengal. In Madras and the Punjab it has more than doubled in the last ten years. In the United Provinces, the Central Provinces and Assam about half the total cost of secondary education is now met from Government funds. On the other hand fees in Bengal bear almost two-thirds of the cost, in Madras and Bombay one-half, in the United Provinces, Burma and the Central Provinces only a little over a four. That shows we are spending too much on secondary education in Bengal. This is the conclusion at which we must arrive if we examine the figures impartially. I do not for a moment claim that the present system of education does not stand in need of reforms. It does, and if, in future, the educational system is to benefit the province as a whole, reforms must be introduced. But surely introducion of reforms means more expenditure and the point I want to make now it that you cannot effect any reduction in the total Government grants made on University education. The different stages of education must be looked upon as component parts of one living organism. You cannot neglect one part without affecting the vitality of the entire whole. It is true one of the drawbacks of the present educational system is that primary education has been neglected. But when the time comes, as it must, to advance primary education, is it seriously suggested that Government should be asked to

reduce expenditure on secondary and University education? That will certainly result in a loss of national efficiency which we cannot tolerate. Let me put a few questions to Mr. Dain. Who is responsible for the fact that primary education has not made any advance in this country? Who will dispute that it has so long been neglected? For the last 150 years who has ruled this country? It was the bureaucracy, consisting of representatives of the country from which Mr. Dain comes. Why did they not introduce primary education in this country? Do they realise that it constitutes one of the darkest spots on British administration? What explanation can Mr. Dain offer? Let me again put Mr. Dain's sincerity to the test. Mr. Dain is anxious that money should be diverted from other heads to primary education. Would Mr. Dain come forward and support me when I say that a portion of the police grant, amounting to Rs. 2 crores and 27 lakhs per annum should be transferred for the purpose of spreading primary education? Would Mr. Dain come forward and support the proposal that the expenditure on jails, which has reached the figure of Rs. 50 lakhs per annum should be reduced and a portion of it should be transferred to primary education? Would Mr. Dain come forward and support me if I bring forward a proposal that the cost of the General Administration amounting to Rs. 1 crore and 22 lakhs per year which involves the payment of salaries at a stupendous scale unparalleled in the history of the civilised world, should be reduced and the money saved thereby should be diverted to primary education? Would he support us in that direction? Or, would Mr. Dain come forward and call upon Government to make a reduction in the expenditure of a crore of rupees for checking the civil disobedience movement and transfer a portion of that to primary education? May I ask again, if Mr. Dain will be prepared to apply the educational principle enunciated by him, which he wants to be applied to Indian education, to European education as well and say that the sum of Rs. 13 lakhs should not be spent on European education, on the ground that the Europeans in Bengal are rich enough to bear its cost and that a portion of it should be diverted to primary education?

But, Sir, Mr. Dain will not make any proposal of that kind; neither will he support any such suggestion. The only proposal he has to make is to reduce the grants for University education by which the Indians are benefitted. There is a class of critics, I do not believe that Mr. Dain belongs to that class, who do not love primary education so much, but hate University education so far as this country is concerned. Why? Because the present system of University education, notwithstanding its manifest faults, has achieved some paramount results. It has aroused the national consciousness of this vast country; it has produced men, who can stand up before Mr. Dain and others, and refuse to regard Europeans as their superiors simply

because they are Europeans, who insist upon the acceptance of their rights and privileges based on the principle of equality. That is the reason why University education is not liked by some people.

The only remedy which lies before us is to pursue an educational policy which will support all stages of education equally and beneficially. Sir, so far as the system of primary education goes, it is going to form the solid foundation of the great national structure upon which must be placed a net-work of schools and colleges, all not providing for an education, predominantly literary in type, but varied and diverse in character, catering for the changing needs and conditions of society to-day. And, Sir, the crowning structure of this national edifice must be the provision for advanced study and research in different branches of learning, which will remain under the control of brilliant University men, well-trained and well-equipped men, rich alike in imagination and experience, men, whose sacred duty it will be not only to teach, but also to learn, and advanced the bounds of knowledge, so as to extend the name and fame of this great province. This province will be the home not only of mechanics, artisans and foremen of whom Mr. Dain speaks, and of tramway-conductors and bus-drivers, but it will also be an active centre of intellectual activities, a province, that will be ever ready and willing to extend her protective wings to seekers after knowledge and truth.

Mr. W. C. WORDSWORTH: We have listened, I think all of us, with pleasure to the admirable speech of the member for the University, and I myself give my full support to his tribute to what University education has done for this province. I shall contribute a few general observations and then some figures to this discussion. Any comparison between conditions obtaining in one country and another must be used with great discretion. We cannot argue directly from conditions in my own country to conditions here. In the first place, in my own country, University education is only a part of the highest education that the country offers. It is one of many choices. In this country, the only way of getting higher education is to get it under the University, and that makes a tremendous difference. We are rather obsessed by the University, and by degrees, in this country, and English people here tend to forget that University education in India is the same thing as the sum total of higher education. Thus if there are 30,000 students in the University and the colleges under it, what this means is that there are in this province of 50 million, 30,000 people who are being educated beyond the age of 16. Whether that is an excess or defect, people will judge for themselves, but it is necessary that we should remember this important factor. Then, again, in my own country, men can find their way into the different professions by a variety of ways.

In this country a man who wishes to get into one of the learned professions or to find employment of a dignified kind, must be educated under the University. If he wishes to be a doctor, he must take a University degree; if he wishes to be a lawyer he must take a University degree; if he wishes to be an Engineer, he is almost obliged to do the same thing. It is hardly possible for him to get any responsible work under Government or any responsible work in the business world unless he has passed through the University in some department. I would remind the House also that education is not to be interpreted only in terms of employment. Unemployment is a very grave evil in all countries at present, and it would be foolish to speak rashly about it, but education to the educationist, and the politician, must also be something more than a reference to employment. It is part of the equipment of the State, it is part of the strength, the dignity and self-respect of a modern civilised State, and it is impossible to imagine any State in this century commanding the respect of its neighbours and safe from their cupidity, safe from their contempt, if it has not amongst its people a considerable proportion of well-trained intellects. University education in India, therefore, is not to be interpreted merely by comparative figures, and following on these general observations I may proceed to put before the House the figures of University grants in Great Britain to-day.

Mr. Syama Prosad Mookerjee has referred to one very useful book. I would refer to another which I consider even more useful, which might with value be kept in our Council Library. It is "The Year Book of Education". Yesterday I looked up the latest figures supplied by the Board of Education to the British Parliament, figures of the grants to the British Unversities, and this table shows, as Mr. Mookerjee has said, that there is not a University in England and Wales that does not receive grants from Government. I might add as a matter of *a priori* inference that the Scottish Universities also would insist on getting their share, but if *a priori* argument is not sufficient I may add as a fact that 4 Scottish Universities *plus* the Royal Technical School at Glasgow, between them receive about £370,000 a year out of the Treasury. Now, may I give some figures of these Parliamentary grants. Let me refer to the four largest.

The University of London with all its schools receives almost £600,000, the total University income being £1,600,000.

Next comes the University of Wales, which is made up of 4 constituent colleges. It gets £165,000.

Third on the list comes the University of Cambridge, which gets £150,000. Fourth comes the University of Oxford which gets £135,000. Now these figures are interesting in themselves, but more interesting when we draw certain inferences. May I read the chief heads for the University of Cambridge? Its total income is just short of £600,000. Its endowments are £130,000, its grant from Parliament

£150,000 and its income from fees about £230,000. Now this does not include the accounts of the colleges, which, as you know, are at Oxford and Cambridge in some way separate from, and in some way identical with, the University. But the figures as set out here shows that a student at Cambridge or at Oxford pays of the total cost of his education to the University a little more than a third at Cambridge, and a little less than a third at Oxford, the remaining cost of his education being divided between endowments come down to us mainly from the Middle Ages, and the treasury grants. If, therefore, a student nowadays at Oxford pays £250 a year for his education, it may be assumed for argument that his father is paying about £150 for the board and lodging part of it in the college and about £100 for his education. But if it were not for the grants, if it were not for the endowments, the University would have to charge him about £200 more. Therefore every student who goes to Oxford and Cambridge receives a sum equal to about £200 a year. If he gets a scholarship from his college, University, or the public authority under which he has been educated or from his Public School, then of course the contribution to his education is so much higher. Here I may draw the attention of those interested in the detailed study of education to the very valuable article on the first page of this week's *Times Educational Supplement*, where the cost of scholarships in England is examined, and it is shown there that about 30 per cent. of the students at our Universities in England receive scholarships from colleges, schools, Universities or local authorities paid out of rates and taxes, or from other sources at the disposal of these. I am afraid therefore that I am unable to agree with Mr. Dain that our parents when they paid large fees for us at Cambridge and Oxford were shouldering, as a private responsibility, the whole cost of our education. Admittedly, these grants from Parliament are a recent development at Oxford and Cambridge. They have been largely occasioned by the War, though not entirely. Oxford and Cambridge were for centuries what we might call private Church Universities. In the last half century or so they have developed first of all into being Universities of the State, and in their final stage, into Universities of the Empire. They exist now to serve the whole Empire, not, as they did 100 years ago, to serve only those who were connected in some way or the other with the Church of England, and the recognition of their claims to assistance from public funds, has, I believe, been strengthened by the feeling that they are doing work not only for England, but for the whole Empire.

Khan Bahadur Maulvi AZIZUL HAQUE: After the most eloquent speech of Mr. Syamaprosad Mookerjee and the illuminating speech of Mr. Wordsworth very little remains for us on the side of the House to say except to explain our position, as to how we look upon this

motion. We are in full sympathy with the mover that primary education is a matter of very important concern to the State, and the time has come if the reforms are to be successful as Mr. Mookerjee has said, that the electorate should be so trained and educated. But that depends entirely on the amount of expenditure which the State is going to spend upon primary education. But the motion before the House is not merely that we must encourage primary education but that something should be taken out of the money that is now being spent on University education. It is there that the difference lies between Mr. Dain and Mr. Mookerjee and many members of this Council. I feel that I should be failing in my duty if I did not raise my voice at this stage in the matter of further curtailment of the grant to the Universities. The fact stands that Bengal is what it is to-day, due to the system of University education. If it is bad, it is due to the University education and if it is good, it is due to the University education. The question now is as to whether the amount of expenditure on University education is sufficient or not. The needs of about 50 millions of people are such that the money now spent on University education is too small, and I am sure the Hon'ble Minister knows that perfectly well; every year he is flooded with applications from the Dacca University and the Calcutta University as well as from numerous colleges. The Dacca University's demand for more money and the Calcutta University's demand for more money is fully justified, because if you want to develop University education on proper lines you must require sufficient money; and therefore if this motion wants that there must be curtailment of the expenditure on University education, we on this side of the House shall not be at all in sympathy with it, because we keenly feel. I am absolutely frank in this respect—that Muhammadans in the past did not take full advantage of University education and it is not to the interest of the State to allow one community to prosper leaving the other community to take its own course, which will not be to the benefit of the Muhammadans or of the Hindus, I may admit frankly therefore that we look upon any proposal to curtail expenditure on University education with great nervousness and we feel that the only way in which the Hindus and the Muhammadans can equally prosper is by balancing the educational progress. It is from that point of view as also from the general point of view that we consider any curtailment of expenditure upon University education to be quite unjustified. I do not deny that the time has come when we must find more money for primary education. Whether it is to be found from one source or another, it is certain that it cannot be done from the meagre amount of pittance given to the University. On the other hand I personally feel that it is possible for Government to effect a certain amount of curtailment in the inspecting line, where they spend a lot of money. But that is beside the point. The motion now before the House is only concerned with University education. I will not tire

the House with any more statistics, but suffice it to say that in this House we are practically unanimous that it would be suicidal to the interest of Bengal to curtail any expenditure on University education.

Reverend B. A. NAG: All that could be said in favour of higher education and University education has been said by the three previous speakers and has been ably said. I would however refer to Mr. Dain's reference to Bombay as our example in the matter of primary education. Since I heard him yesterday I looked into the Hartog Committee's report and I found that he was as incorrect about the implication of the figures of expenditure on primary education as he has been about those on University education. It is a fact that Bombay's grant—I refer to the Hartog Committee's report—for primary education is Rs. 1,98,00,000, whereas from the same report we get that Bengal grants only Rs. 67,00,000. But all the same I believe Bengal compares favourably with Bombay in the matter of primary education. For instance in Bombay there are only 12,300 primary institutions for boys and 1,500 for girls—altogether 13,800 primary schools. But in Bengal there are 38,200 primary institutions for boys and 14,600 for girls; altogether 52,800, about 4 times the number of primary institutions in Bombay. I know that the population of Bengal is nearly 2½ times that of Bombay but the number of institutions is 4 times. Therefore so far as the number of primary institutions is concerned we are doing very well indeed. Then the average area served by each of these primary institutions in Bombay is 10 square miles—an impossible thing—while in Bengal the average area served by each primary institution is only 2 square miles. There again we compare very favourably indeed with Bombay. Then about the number of pupils taught. In Bombay in these primary institutions there are 11,300,000 boys and girls, whereas in Bengal there are 23,500,000 boys. Then, Sir, why is it that Bombay makes a grant of Rs. 19,800,000 for primary education and Bengal makes a grant of Rs. 67,00,000? The reason is that Bombay pays its primary school teachers Rs. 47 per month, whereas Bengal pays at the rate of Rs. 8 per month! which is quite deplorable! That shows therefore that by this Rs. 67 lakhs we are capable of doing the work which is practically 6 times the work that Bombay does with a larger grant. If Mr. Dain wants that salaries of our primary school teachers should be increased—that is a different matter, but let it not be said that Bombay does any the better than Bengal. I am quite proud of what Bengal is doing as compared with Bombay. All the same I plead for advancement in primary education. A real comparison with Bombay can only be made with the estimated expenditure when the Primary Education Act has been set in motion, because in Bombay the power of compulsory education has been given to the local while in Bengal it has not yet begun. Therefore real comparison will come in when the Bengal Primary Education Act has been set in motion. So we cannot

accept Mr. Dain's motion for slowing down University education and making Bengal a nation of foremen, carpenters and mistries, but let us go ahead with our University education. If University education is given to a great extent the time may come when even our cultivators will be University men and that will be all the better for the country —a country of graduate labourers and so forth, and that does not speak ill of a country. I oppose Mr. Dain's motion.

Dr. NARESH CHANDRA SEN GUPTA: I should not have thought it necessary to intervene in this debate after the very able manner in which this motion has been discussed by persons who are very well qualified to discuss it, but I feel some sympathy for Mr. Dain and I regret that his fine enthusiasm for the extension of primary education should have received a cold douche in the fashion in which it has. I should suggest however that now that Mr. Dain has given evidence of his great enthusiasm for primary education in which he will find every one in this House at one with him he would in future leave the University alone and try to find out other avenues of funds for extending primary education. I might suggest to him several ways other than what has been suggested by Mr. Syamaprosad Mookerjee. I find that Mr. Dain feels very much for the ignorance of his foremen and his labourers, and I am sure that there are other employers of labour in this province who too feel the same. But what about compelling every employer of labour to provide elementary education for his labourers and for opening continuation classes for them and also primary classes for their children? I hope Mr. Dain will have no objection to this and that if any such proposal were made by anybody he would give him his earnest and cordial support. Then again Mr. Dain labours under a sort of fallacy which is very similar to the fallacy which prevailed at one time under the name of the Wages Fund Theory. He thinks that the amount allotted to education in our budget is a sort of inviolate amount, i.e., an amount beyond which we cannot go for the purpose of education, and if any adjustment has to be made it has got to be found out of that alone. That idea is entirely fallacious. The whole of the revenues of Bengal is available to draw upon if Government chooses for the purpose of extending primary education and I am sure that the next time we hear Mr. Dain he will come forward with some proposal which will be more acceptable, regarding the source from which money for primary education should be found.

Maulvi TAMIZUDDIN KHAN: While it is impossible to agree with Mr. Dain, in so far as he intends to slow down University education, I do not see why some of the previous speakers should have been so harsh upon him. I think his zeal for the advancement of primary education is quite laudable and every one in this House is in agreement

with him so far as that desire is concerned. But I am afraid that in his enthusiasm for primary education he has been blind to the needs of University education; and I also think there is a good deal of truth in his statement that Government have hitherto not done its duty by primary education.

It is I think, Sir, the primary duty of a civilised Government to make adequate provision for primary education. I am not accusing the present Government only, but I am also accusing the predecessors of the present Government, that it has been culpably negligent about the needs of primary education in this province. In their enthusiasm to condemn Mr. Dain for his views regarding curtailment of University education some of the speakers have rather gone to the other extreme. For instance, Mr. Nag has said that he is proud of what the Government in this province has done for primary education.

Reverend B. A. NAG: On a point of personal explanation, Sir, I did not say that. I said it compares very favourably with Bombay.

Maulvi TAMIZUDDIN KHAN: Surely it compares very favourably with Bombay; but that is hardly a matter for congratulation. But so far as he says that he is proud of what the Government has done for primary education no one will agree with him. We are ashamed of what we have done about primary education. As I have already said, there can be no question of curtailing University education: that will be simply curtailing the intellectual progress of Bengal which no reasonable man can seriously contemplate with equanimity.

(Here the Council adjourned for 15 minutes for prayer.)

(After adjournment.)

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, the Government, I am afraid, must oppose the motion as it stands. While we recognise that it is the primary duty of Government to provide for primary education, we cannot accept the proposition that the present activities of the University should be curtailed. We feel that even if Mr. Dain's suggestion were to be accepted and a certain amount of money were to be diverted from University to primary education, the amount available would be so small that it could not in any way materially improve the present position of primary education in Bengal. To make adequate provision for primary education in Bengal requires a very large sum of money, and it will be in the opinion of Government wrong to cripple University or secondary education without at the same time being in a position to make primary education free and compulsory all over the province. Sir, various members of this House have expressed their opinion on this subject and I agree with them that the University have certain claims on Government for assistance. Government have recognised this fact and have given grants so far as possible

to the two Universities. There is only one thing I should like to point out to this House and that is that even compared with England the assistance which the Universities are getting at present from Government compares very favourably with that which the Universities in Great Britain get from the State. Therefore as far as the Universities are concerned we are giving adequate grants. So far as primary education is concerned the problem is so great and the amount required is so vast that it is not possible to finance it from our provincial revenues as they stand at present. Therefore Government have come forward with a provision for additional taxation. I have repeated many times the reasons why it is not possible to impose the tax at present and therefore it is not necessary for me to go into that question just now. But I would request Mr. Dain to consider whether he thinks it advisable, in view of the fact that after all you cannot really improve primary education by even accepting his proposal, to proceed with the motion which he has moved. I would therefore request him to withdraw his motion and would point out to him that, as far as possible, Government are very anxious and keen to encourage primary education and they are doing all they can in this respect, and while they have effected a cut in the grants that they are making to the colleges and secondary schools, they have refrained from making any cut whatsoever in the grants for primary education as also girls' education. They realise that at present primary education and education for girls have prior claims on Government, and in spite of the financial stringency Government have refrained from making any cut in those grants. Therefore he will see that so far as the spirit of his resolution goes, Government have gone some way towards fulfilling it, I am afraid we must oppose the resolution but I would request Mr. Dain, in view of the explanation I have given, to withdraw his motion.

Reverend B. A. NAG: On a point of order, Sir. Am I justified in saying that since the Hon'ble Minister has replied in this way I withdraw the first part of my speech?

Mr. PRESIDENT: That is not a point of order—it may be repentance. (Laughter.)

The motion of Mr. G. R. Dain was then by leave of the House withdrawn.

Babu SATISH CHANDRA RAY CHOWDHURY: I beg to move that the demand of Rs. 5,32,000 under the head "31A—Education (Transferred)—Grants to Universities" be reduced by Rs. 100 (to raise a discussion on the present system of University education which has no reference to the practical needs of life.)

After the very able speech of Mr. Mookerjee in defence of University education one must feel like fish out of water in criticising the policy underlying University education. But there are certain features of this education which calls for close scrutiny, as even Mr. Mookerjee has had to admit, and as was recently expressed by the Vice-Chancellor of the University who pleaded for a drastic change and reconstruction of the educational system.

Sir, it cannot be denied except by interested persons that the Calcutta University has the most brilliant record whether it be in the field of teaching or in the field of original research and considering the handicap under which it has been working, a more brilliant achievement can hardly be conceived. The main handicap is undoubtedly the want of funds which Government alone can provide. This being granted there must be a substantial change in the outlook of our University authorities on the question of education suitable to modern condition. The efforts hitherto made by the University must be supplemented by fresh endeavours in new direction.

Since the world war the educational machinery in all countries of Europe is being overhauled to give expression to the new ideas in education and to cover fresh fields and to meet new needs. A new definition of the aim of education has been laid down by a great educationist in the following words:—

"Knowledge must not be the aim; it must rather be natural and incidental product of a definite organisation of the life of children in the school. In truth we must make our school a 'School of life'. Under the guidance of the teacher, the pupils should learn how to live. In this process of self-organisation the children will acquire knowledge and habits but at the same time they will be developing powers and adjusting themselves to the world."

The two expressions which I specially emphasise are "how to live" and "adjusting themselves to the world" which are the objects of education.

How does this test apply to our young graduates and our young men out of school? They have received an education which instead of enabling them to adjust themselves to the world places them out of adjustment to their own homes and neighbours—not to speak of the world. Imagine, Sir, a middle-class gentleman's son hailing from the village—a cottage dweller residing in costly boarding houses in Calcutta and receiving an education which has no reference to the life as he had lived before or as he will have to live after finishing studies and then you can correctly gauge the reason of the maladjustment visible everywhere in our country. Since the great war the practical side of education is receiving very great emphasis almost in every country of Europe and Japan more than the cultural side. Not to speak of Russia where a great experiment is taking place in the field of education and where every child at school is like a labourer in a workshop whose hands and

eyes and ears are being trained simultaneously and where education is vocational from the nurseries, i.e., the school for children to the University in the sense that at whatever stage the boy comes out of the educational institution he finds himself fit for some or other employment unlike our graduates fit only for clerkship or the profession of law. Rightly therefore has one of Bengal's great savants and educationists said only recently that if he had been dictator for one day he would raze the law colleges to the ground. He was only one step short of saying that he would raze the whole university to the ground probably out of fear of Mr. Syamaprosad Mookerjee—the great champion of the University. Undoubtedly he may be taken to have said that very thing because if you eliminate Law and Medicine you not only amputate but decapitate the University of Calcutta for better or for worse.

Sir, we have had cultural education enough. Ours is an old culture which will survive even without any pedagogic nursing but no culture can live and no civilisation can stand long if the vast mass of a country's population are without the means of earning their livelihood by honest labour. The world civilisation to-day is in danger of being destroyed by the fury of the hungry multitude. How much so must it be in our country. Mr. Gandhi—the great seer and the great devotee—once said that God can appear in India in one shape and one shape only, namely, in the shape of food for its millions. If religion itself be meaningless for the foodless far less can have the cry of culture and civilisation any sense for them.

The great need of the time, therefore, is to fit in education to the needs of our daily life. This is possible only by making our educational programme cover the field of trade commerce and industries—all arts and crafts of our daily existence.

In Germany they are forwarding industrial and commercial education by Imperial legislation covering all individual states whereby school districts or communes have been authorised to compel all boys under 18 to attend an industrial and commercial school. This provision can be made to apply even to girls. The Minister of Commerce and Industry being in charge of the Industrial Education.

In France by the Astir Law of 1919 practical schools of commerce and industry were reorganised. The rapid industrial progress of the neighbouring rival states led to the conviction in France that she was falling behind in *per capita* production and hence the new endeavour.

Coming nearer home let us consider the case of Japan.

The educational progress and the educational system of Japan may be studied with profit by our University and our educational authorities. The more so because she has to-day surprised the world by filling the world markets, especially the Indian markets, with her cheap products. She is out to-day not only to conquer territories from divided and disunited China but also to beat the most advanced nations of the world in the

field of commerce. How to protect ourselves against these commercial aggressions ought to be a real problem with us. The curriculum of her advanced elementary schools even include subjects like (1) Fish, (2) Forest and Woods, (3) Botany, (4) Hydrochloric acid, Chlorine, Potassium sulphates, Aluminium, etc. Coming to the University we find there not only the faculty of science and engineering but also the faculty of agriculture which includes 20 subjects including forestry, taught by 36 professors. Besides there is a University devoted to commerce known as the Tokyo University of Commerce. Attached to this University is a preparatory department consisting of 11 professors, a business school and a school for the training of teachers for commercial subjects. It should also be noted that no diploma is conferred there merely on the passing of the examinations. A thesis approved by the Board of Examiners is a pre-condition of obtaining a diploma. One other significant fact to note and which I hope my friend Munindra Deb Rai Mahasai will be quite glad to note is that the University Library contains 749,051 books of which the Faculty of Agriculture alone possesses 31,900 volumes in Japanese and Chinese and 29,900 European and American books. How many books on agriculture can you find in Calcutta and yet Bengal is pre-eminently an agricultural country and our Minister for Education is supposed to take a keen interest in education. In Japan there is a Director of University Library too. I need not tire you by mentioning the technical schools too numerous to mention which have assisted to industrialise the nation in so short a time.

Now take the case of Bengal. To learn so important and vital a subject as Agriculture our students have to go to Poona; to learn commerce effectively they have to go to Bombay, to learn forestry which is another very important avenue, nobody knows where they are to turn, to learn mechanical and electrical engineering they must apply to Malaviyaji at Benares. The only technical institution in Bengal which is doing any real service is the Jadavpur School and that is under private management.

Sir, the need of primary education is certainly very urgent as emphasised by Mr. Dain but let it be remembered there too we stand the risk of squandering our resources unless the programme and the curricula are wisely selected to fit into a general scheme of intellectual development and economic regeneration of the country though education began with the primary school and ending with the University—the stream of learning flowing uninterruptedly through the several strata, namely, thhe continual schools, the middle and the secondary schools. One definite aim backed by organisation on scientific line and expert guidance must run through the whole educational system, otherwise failure is writ large on all endeavours. These facts I hope will be borne in mind by the Hon'ble Minister because the coming times offer great opportunities when the resources may be placed at the

disposal of the Government which could be utilised for the good of the country for the advancement of learning as well as for the multifarious needs of the nation. With these few words I commend my motion to the acceptance of the House.

Mr. K. C. RAY CHOWDHURY: Sir, I fully agree with the last speaker's views about the huge waste of money on University education. I fully endorse his views that we should spend more money on technical education. I have said on many occasions that without technical education we will not be able to improve the industry of our country. Originally Bombay used to have trained men from Lancashire, but since they established the Victoria Technical School, practically all their foremen mechanics are being drawn from this institution. I have advocated many times on the floor of this House to start a similar technical school in Bengal specially to cater for our Jute industries. Cotton industry has still some time to develop, but the jute industry will sooner or later pass on to our hands and we will find great difficulty to man that industry.

Mr. H. E. STAPLETON: Sir, may I begin by saying that it is extraordinarily difficult for Government to deal with motions like this, which really refer to matters in which the Universities have the final say? It would certainly have been better if this question had been dealt with by a representative of the University, but as no one has got up to reply on behalf of the University, I would ask leave to make a few remarks. So far as the Government is concerned, we have no direct connection with making courses in the Universities of Calcutta and Dacca more practical, but I might quote in this connection, to illustrate the Government policy, the actual figures of Government expenditure on their own Arts and Professional Colleges respectively. A lot of discussion has gone on this afternoon in connection with the alleged over-expenditure on Arts Colleges, but if some of the gentlemen who have spoken would only have looked at the Annual Reports published by the Education Department, they would have found that the total cost of Government Arts Colleges is Rs. 10 lakhs, while as regards their Professional Colleges the Government spend as much as 12½ lakhs every year. Therefore, we actually spend much more on Professional education than on Arts Colleges. Turning to the other aspect of the question, it is very difficult for Government to make direct suggestions to the Universities. After all it is essentially a matter of domestic policy of the Universities, and it is only when the Universities have some scheme for which they want financial support that the Government begins to have any concern with it. I cannot for the moment recall any technical or vocational scheme in connection with the Calcutta University in which Government has been asked to take an active interest during the last few years, but I do

recollect that the University itself has started a very prosperous and efficient school of Technical Chemistry, and if one will look at the Calendar of the University he will see that excellent syllabuses have been drawn up to indicate the practical interest that the University is taking in these non-academic branches of Chemistry, i.e., the applied side and not merely the theoretical side. As regards the University of Dacca, Government has shown its desire to encourage practical education there, so as to turn the minds of the students more in the direction of technical education, by very heartily supporting the scheme which was put forward some years ago for linking up the proposed Agricultural Institute at Dacca with the University. The University put forward a scheme for the development of Bio-Chemistry, Botany, etc., so that the students of the Dacca University could not merely go up for the ordinary B.Sc. course, but also join the special department leading to the Institute by taking a two years' course in these subjects. It is very unfortunate, however, that just as we were going to give financial support to the proposals of the University of Dacca, we were prevented from doing so by lack of funds. However, the scheme is there, worked out complete, and as soon as money is more easily available than it is at the present moment, the University of Dacca, by virtue of the very high position, of this scheme on the list, is likely to be one of the first to receive help in developing on the more practical side.

In continuation of what I said at the beginning of my remarks as regards the amount spent by Government on its own Arts Colleges, as compared with that spent on its technical institutions, I may also refer to the actual work that has been done by Government in the Education Department during the last few years in connection with Agriculture. We have heard lately that the Calcutta University has received a letter containing a proposal from Sir Daniel Hamilton that they should link up their curricula with the activities of Sir Daniel Hamilton at Gosaba. I went down to Gosaba the other day; the place is certainly very isolated, and I doubt whether there will be any great demand from students to go down there, and carry on the intensive work which Sir Daniel Hamilton suggests. But the proposal merits careful consideration, especially in view of the fact that Government itself during the last few years has been developing, through selected high and middle schools, a system of agricultural education based on the system worked out in the Punjab. A few years back—I think at the instance of the Department of Industries—a small Committee, of which I was a member, was sent from Bengal to study the system of agricultural education in the Punjab. As a result of the Report that we submitted, Government approved of a scheme of training existing teachers in certain mufassal schools which were willing to take up agriculture and develop the practical side of school life by giving the boys a certain degree of agricultural training. The only conditions

that Government made were that the teachers deputed, should, as far as possible, come from agricultural stock, and also that the school authorities would be willing to supply sufficient land for a garden, or better still, for a farm. During the last four or five years we have succeeded in training 60 teachers; and between 50 and 60 schools—half of them high and half of them middle schools—have started actual agricultural work. We hope the University will collaborate with Government in the development of this agricultural education scheme, and link up the practical work that is being done in these Government-aided institutions with the schemes for introducing a practical course of agriculture into the new Matriculation curriculum. The syllabuses for this are now before Government, and we hope that it will be possible to arrange with the University that, so far as the high schools are concerned in which agricultural training has been started, the boys will be able to go on and take agriculture as an optional subject for Matriculation.

In this way it will be apparent to the members of the House that Government by its own example is doing all it possibly can to draw attention to the desirability of laying stress on the practical side of education rather than on the more literary side. I might also have mentioned seriously that for several years past we have had an alternative course to the Matriculation course in certain high schools by which we are training in practical subjects. Those boys who take this B-Course, or School Final examination, have an opportunity of going on further to Sibpur, and making good in the Engineering line.

This motion, I understand, was tabled in order to raise a discussion. I do hope that as the discussion has taken place, and I have been able to explain the attitude of Government, the hon'ble mover will not press his motion, but will withdraw it.

The motion of Babu Satish Chandra Ray Chowdhury was then, by leave of the House, withdrawn.

Mr. SHANTI SHEKHARESWAR RAY: I beg to move that the demand of Rs. 41,400 less emergency deduction from pay under the head "31A—Education (Transferred)—Government Arts Colleges—Pay of officers—Principals" be reduced by Rs. 100 (to raise a discussion in regard to the Sanskrit College and the working of the Sanskrit Association).

Sir, the object of my moving this resolution is to raise a discussion in regard to the Sanskrit College and the working of the Sanskrit Association. In a few minutes, the time allotted for the discussion of this grant will be over, and I do not think that it will be possible to raise a full debate on this subject. I shall, however, confine myself to drawing the attention of the House to the very regrettable state of affairs in connection with the Sanskrit College. Sir, the attitude of

the Government of Bengal in the Ministry of Education towards this institution and the cause it stands for has been one of studied negligence. Sir, we all know that the Department of Education in Bengal is a sleepy department. They have been sleeping over the University Bill for a long time. They slept over the Primary Education Bill for a considerable period, and even when it was passed into law, we find that they are sleeping over it still. But, Sir, if it was only a question of indifference, perhaps I would not have brought the matter here. I am inclined to think that in this case it is not only a question of neglect but of something else behind it. Sir, we all know that the policy of the Government has been inspired by a distrust of popular control, but recent developments—I am sorry to say—are inspired by prejudices of a communal nature. I regret to have to say that it is a anti-Hindu bias. I shall just ask the House to consider the provisions in the budget, and it will be found that while Rs. 2,23,500 has been provided for non-Government special schools—Madrasahs—a sum of Rs. 31,000 only has been provided for Sanskrit schools. Apart from this, there is also a provision of Rs. 1,80,000 for the Madrasahs under the head "31-D," as against Rs. 1,74,000 in the year 1932-33. Sir, while the Hon'ble Minister has been taking so much interest in the case of Moslem education, may I ask him what has he been doing for the cause of Hindu education, because I consider Sanskrit education more or less a Hindu education——

The Hon'ble Mr. KHWAJA NAZIMUDDIN: On a point of order, Sir. The resolution refers to the Sanskrit College and the Sanskrit Association, and it has nothing to do either with the grants to Sanskrit tols or anything else. I may not have a chance to reply; therefore, I am asking the member to stick to the point.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I am coming to that——

The Hon'ble Mr. KHWAJA NAZIMUDDIN: But you have only two minutes more.

Mr. SHANTI SHEKHARESWAR RAY: The Principal of the Sanskrit College happens to be the Secretary of the Sanskrit Association, and my point in raising this subject is that this is a very unsatisfactory state of affairs.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: What is it?

Mr. SHANTI SHEKHARESWAR RAY: If I would suggest to the Government that, as an immediate step, the post of the Principal

of the Sanskrit College should be separated from that of the head of the oriental department and the Secretaryship of the Sanskrit Association——

The time-limit for "31—Education (Transferred)" having been reached the member resumed his seat.

The motion of Mr. Shanti Shekhareswar Ray was then put and lost.

The original demand under the head "31—Education (Transferred)" was then put and agreed to.

32—Medical.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 42,94,000 be granted for expenditure under the head "32—Medical".

The expenditure under the head "Medical" does not lend itself to sensational changes even in normal times either by way of expansion or by way of retrenchment, and much less in a period like this. But it is a matter of sincere satisfaction to the Ministry that in spite of the general tendency to cut down expenditure in every department rather ruthlessly, this department has succeeded in maintaining the normal amount. Under the head "Medical Establishment," is recorded the salaries of the Surgeon-General, Civil Surgeons, and their establishment, and all connected and contingent charges. It also includes the pay of assistant and sub-assistant surgeons paid by Government and reserved medical and subordinate officers. The progress of actuals indicates that the expenditure will be almost up to the sanctioned estimate more or less, and a small saving may occur under "Pay of officers and establishment". The increase in the ensuing year is chiefly due to the partial withdrawal of the emergency cut in salaries from April, 1st, 1933. The first important minor head is "Hospitals and dispensaries". The budget estimate under this head of the ensuing year is less by Rs. 46,000, but it is more than the revised estimate of the current year by about Rs. 75,000. The small reduction is due to strict economy and saving on diet, clothing and bedding in hospitals, due to a large fall in the prices of food materials and other articles.

The budget estimate for the next year shows a reduction in expectation of the same principle of strict economy being maintained everywhere. The next sub-head is "Grants for medical purposes" which shows a difference of about Rs. 20,000 more than the budget estimate of 1932-33 and a reduction of about Rs. 7,000 than the revised estimate of 1932-33. The grant to the Calcutta Hospital Nurses' Institute was increased by a lakh of rupees by a supplementary demand

to meet the deficit of the institution due to a fall in the receipt of subscriptions from non-Governmental sources. The normal grant of Rs. 1 lakhs to this institution has been provided for in the budget. The Jatiya Ayurbigyan Parisad was promised a capital grant of Rs. 4 lakhs out of which Rs. 3,00,000 has already been paid. Rupees 50,000 was paid this year and a provision has accordingly been made for the balance of Rs. 50,000 in the next year's budget. This accounts mainly for the difference between the budget estimate, the revised estimate of the current year and the estimate for the next year.

Under the minor head "Medical College and Schools" is recorded the expenditure for the Calcutta Medical College, the Campbell, Burdwan, Dacca, Mymensingh, Jalpaiguri and Chittagong medical schools and the School of Tropical Medicine and Hygiene Institute. Non-utilisation in full of the provision under "Pay of officers" and smaller expenditure under "Supplies and services" mainly accounts for the decrease in revised estimate. The partial withdrawal of emergency cut in salaries with effect from the 1st of April, 1933, chiefly accounts for the slight increase in the next year's estimate.

The sub-head which shows a large reduction is "Mental hospitals". As a result of the recommendations of a Retrenchment Committee of the European Mental Hospital its expenditure was cut down to Rs. 1,64,000 in the revised estimate of 1932-33. But certain items have since been restored which were found absolutely necessary. This accounts for the increased figure of the budget estimate for the ensuing year. The grants to all the institutions whether under head "Hospitals or dispensaries" or "Grants for medical purposes" are not only practically the same as in the current year's budget but a substantial addition has been made to the recurring expenditure by providing for a recurring grant of Rs. 20,000 to the Calcutta Medical Institute. Following the recommendations of the Retrenchment Committee the emergency grant has been reduced from Rs. 14,000 to Rs. 10,000 on the understanding that if any necessity arises at all the full amount would be available.

I would now deal with the recommendations of the Retrenchment Committee so far as they affect the Medical Department. I must confess that in spite of our best endeavour to accept as many of the recommendations as possible we could not accept beyond a very small sum by way of retrenchment. This department found that if all the recommendations were accepted it would not only cripple the activities of the department substantially but that it would also have reduce the usefulness of the medical institutions. The abolition of the post of the Surgeon-General and reduction in the number of posts held by the I.M.S. officers in Bengal is beyond the competency of this Government. In view of the Secretary of State's regulations sanctioning

these appointments it was not found possible to do away with them without the sanction of the authority appointing them. The post of the Surgeon to His Excellency held by an I.M.S. officer has however been abolished and a saving of Rs. 26,800 on this item is shown under the head "General Administration".

The Retrenchment Committee made certain proposals about amalgamation of districts and for placing them under one civil surgeon leaving the work of inspecting dispensaries in the hands of the district health officers and the medico-legal work to private medical practitioners and the jail duties to non-official medical men. The Ministry very carefully considered all these proposals and I regret to say that they were found unacceptable. Acceptance of the Retrenchment Committee's recommendations with regard to civil surgeons, I dare say, would have greatly affected the efficiency of the medical administration of the districts. Inspection of hospitals and dispensaries is a very important part of the civil surgeon's work and it should not in the interest of efficiency be left to the district health officers who are very busy with the sanitary work under the District Boards; moreover being out-of-touch with actual medical treatment, inspite of their medical training, the health officers cannot be entrusted with inspection of medical institutions. For obvious reasons Government object to the medico-legal work being left to non-officials. The recommendations of the Retrenchment Committee, if they have to be accepted, would require reorganisation irrespective of their effects on the efficiency of the department rather than mere retrenchment. These items cover nearly over Rs. 3 lakhs out of Rs. 5,37,000, the total saving estimated by the Retrenchment Committee.

The next proposal is the transference of charge of posts now held by military assistant surgeons, to officers of the Bengal Medical Service. We find that no financial saving will be effected from such transference of the appointments of Assistant Director of Tropical Medicine, Superintendent of the Pasteur Institute and the Civil Surgeoncies now held by the military assistant surgeons. The Commerce Department did not agree to transfer the two posts held by the certifying surgeons of factories as their pay was fixed. The only remaining post which could have been transferred was that of the Deputy Superintendent of the Campbell Medical School. But the Surgeon-General considers that in the interests of discipline of a big institution like the Campbell Medical School this post should continue to be occupied by a military assistant surgeon.

The replacement of assistant surgeons by sub-assistant surgeons has been partly accepted, viz., in the subdivisions of Baraset and Natore. Other subdivisions are either remote or specially unhealthy or criminal areas. Rajshahi, Comilla and Barisal being big districts civil surgeons do a lot of touring when a competent medical officer should

be left in charge of the station. So it was not possible to replace assistant surgeons by less qualified men without impairing the efficiency of administration.

The Kharagpur hospital was abolished before the Retrenchment Committee's recommendations were out.

The Barisal hospital is a small-pox hospital for river passengers and Government is under an obligation to maintain the Uttarpara hospital, so these could not be closed down.

The reduction of the staff of the Medical College and Hospitals and the School of Tropical Medicine is being examined by committees which have been appointed on the recommendations of the Retrenchment Committee and no reports have yet been received. Government however hope to receive them shortly.

The project for a Medical School at Barisal has been abandoned for which a lakh of rupees was provided in the current year's budget; but in this Government had no option as the executors to the estate of the late Mr. N. Gupta, who was the principal donor, demanded completion of the project within the year 1933-34, which was beyond financial possibilities at present, so Government had to give up the project most reluctantly. They have however decided not to abolish the Mymensingh Medical School or to reduce the staff of other medical schools; abolition of the Mymensingh School is impracticable in view of extensive local endowments and the understanding given by Government to the local people; moreover the local public opinion is definitely against its abolition. Government consider that its abolition would be a distinctly retrograde step which the Ministry is not prepared to adopt. As regards the reduction in the staff of other medical schools by appointing honorary teachers, Government have agreed to accept the proposal in principle and to substitute wholetime officers by honorary men wherever available. The Surgeon-General has been asked to follow the principle as far as practicable. I may inform the House that we have already made six such appointments in the Campbell Medical School and that we propose to appoint an honorary superintendent for the Medical College.

The question of nursing in Calcutta hospitals is being investigated by a committee consisting of Government representatives, representatives of the Calcutta Corporation, representatives of the Carmichael Medical College and different other institutions interested in the question of nursing in the city. This committee has already visited several institutions and are examining the question in detail. Their report is being awaited.

Lastly, Government found it very undesirable to accept the recommendation to impose or increase fees on patients in hospitals in Calcutta. It would cause extreme hardship to poor people in these

days of financial stringency. These are generally my explanations about our decisions with reference to the recommendations of the Retrenchment Committee.

I may say in conclusion that the Ministry has been following during the last two years the policy of appointing an increasingly larger number of honorary medical men both in the Medical College as well as in the Campbell Medical School and Hospitals, and have thrown open to officers of the Bengal Medical Service and to members of the medical profession in Calcutta, appointments which are not specially reserved for the I.M.S. officers. The Ministry desire to pursue this policy as far as practicable without in any way impairing the efficiency of the department or the institutions under its charge. With these words, Sir, I commend the demand to the acceptance of the House.

Mr. MUKUNDA BEHARY MULLICK: I beg to move that the demand of Rs. 4,18,000 under the head "32A—Medical establishment —District Medical establishment" be reduced by Rs. 100 (to draw the attention of the Government to the desirability of appointing qualified candidates of the depressed classes as sub-assistant surgeons).

The reason is plain enough as stated in this motion and I do not think it is necessary for me to add to the same by a long discussion. You will find, Sir, that in all the districts and subdivisional headquarters, there are a large number of hospitals and charitable dispensaries in which the sub-assistant surgeons are employed along with the superior officers. At one time, it might have been said that the number of qualified candidates of these depressed classes were not available and the question might not have been said to have presented itself in all seriousness; and so far as we know there are only a very few sub-assistant surgeons under the Government belonging to these classes. But, Sir, now there is no lack of qualified candidates of these classes to undertake the responsibilities of these offices in public service. I hope the Hon'ble Minister in charge of the department will look at this request from the point of view with which it is made. With these very few words I commend my motion to the acceptance of the House.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I rise to oppose the motion, but in doing so I may state that the interests of the depressed classes are uppermost in the mind of Government and whenever appointments are made due consideration is given to the claims of members belonging to the depressed class. As a matter of fact in 1932 out of 5 appointments one was given to a depressed class candidate, and so whenever there are suitable candidates forthcoming from the depressed classes they are given chances. With the assurance I have given I hope the hon'ble mover will withdraw his motion.

The motion of Mr. Mukunda Behary Mullick was then, by leave of the House, withdrawn.

Mr. S. M. BOSE: Sir, I beg to move that the demand of Rs. 4,18,000 under the head "32A—Medical establishment—District Medical establishment" be reduced by Rs. 10 (to discuss inadequacy of the grant and the question of providing sufficient expenditure for the purpose by a loan, if necessary).

The object of my motion is to call attention to the inadequacy of this particular grant as part of the inadequacy of the total grant for "Medical". I maintain that we should spend a great deal more for medical establishment having regard to the tremendous need for medical and comfort in Bengal. This brings me to my real purpose—why should we not spend more money for medical? My grievance is that we spend far too little. Let me give a few figures under head "Medical (voted)"; the sums actually spent were Rs. 44 lakhs and 47 thousand in 1928-29, Rs. 46½ lakhs in 1929-30, Rs. 44 lakhs and 24 thousand in 1930-31 and Rs. 42 lakhs and 80 thousand in 1931-32 as compared with a budget of Rs. 43,49,000 in 1932-33, and of Rs. 42,94,000 for the next year. I have not given the budgeted amounts for the years 1928-32 which are of course much bigger than the actuals, and we know that the sums budgeted for this year and the next will never be actually spent. So it is clear that the sums to be spent this year and the next will be less than the actuals in 1928-29, 1929-30, or in 1930-31. This is unsatisfactory. We should be actually perhaps spending more and more every year. The answer will be that owing to financial stringency the amount cannot be increased as an attempt should be made to balance the budget. If to aim at a balanced budget means cutting down expenditure for medical and public health then I say for Heaven's sake let us have an unbalanced budget—let the Minister for once become unbalanced, let him for once lay aside sobriety, let him run amuck, let him like Oliver Twist ask for more, nay demand for more. I am tired of the cry for retrenchment. I say away with retrenchment in medical and public health. Let us boldly incur debts and spend more. If money has to be found for more police for more jails, money shall be found for more doctors, more hospitals and more schools. We must not allow the Transferred Departments to be starved.

Now the question is how to find the money. My suggestion is borrow money for objects which are beneficial and are profitable and productive in the best sense of the word. The Finance Member has told us that we shall have to borrow Rs. 195 lakhs for our expenditure next year from the Government of India. Why not borrow Rs. 200 lakhs when we are about it, and give Rs. 5 lakhs as an extra grant for medical and public health? And give this every year for the next five

years. I am sure the Minister will make very good use of this extra grant. I suggest that there should be a well-planned loan policy for the extension of the activities of the Medical and other Transferred Departments. I am not afraid of productive loans, and I am sure nobody will grudge the payment of interest. I do not venture to make concrete detailed proposals, but as regards payment of interest on these loans, I may draw attention to some funds. I have already drawn attention to the unclaimed dividends fund with the Official Assignee. Then there are the landlords' transfer fees which I believe lapse after five years to the district board; these fees I think will amount to a large sum but I have not the figures. I feel sure the district boards will not object to the giving up of these sums for they will thereby get more money as grant from the loans.

Sir Surendra Nath Bannerjee, 12 years ago, thought of a loan scheme for the development of the activities of the Transferred Departments. His idea was taken up by Mr. C. R. Das and Mr. Das drew up an actual scheme I think; but nothing yet has been settled. Now I want the Ministers to press forward a loan scheme with all the force they can. The country will stand solid behind them.

There is another aspect of this matter which I want to stress. In the pending financial arrangement with the Government of India, it will be a mistake to retrench and show a small amount of bare necessary expenditure. In our fight with the central Government for more grant, for a larger share of the income-tax, for the whole of the jute tax, it will enormously strengthen our case if we can show that we need a very large sum for our requirements. So why should we stint spending money liberally on a forward policy of developing our nation-building activities?

I, therefore, advocate the policy of borrowing money and spending it for the above purposes.

Babu JATINDRA NATH BASU: Sir, I have very little to add to what Mr. S. M. Bose has already said. It so happens that our province is now considered to be, from the point of view of public health, one of the worst provinces in India. But ours is not the only country in the world which is deltaic. There are other parts of the world like the United States of America, where big rivers have their big deltas; in China, Egypt, Iraq, similar geological conditions prevail; but we do not hear in those parts of the world of the same state of public health as we hear of in our province. Sir, what is necessary is that we should have a regular health survey of the entire province with a view to finding out as to what are the defects in particular localities and what are the means by which those defects can be remedied. Mr. Bose has spoken of a loan scheme to effectively deal with the serious health problem of this province. As I have said more

than once in this Council, it is the state of public health of this province that affects the people more and brings home to them their difficulty politically than any other thing that touches their life. They find that their relations die of cholera, while people elsewhere in the world have better facilities of prevention and treatment: they find malaria spreads like wild fire as also kala-azar and their own people —their nearest and dearest ones—die without anybody appearing to feel anything for them. That is a thing which hurts the people more deeply than much of the political troubles that are about. But the Government does not appear to have a broad comprehensive scheme with a regular health survey and a regular board of public health which might keep a constant watch on our public health problems and be always on the alert in rectifying any defects that may for the time being appear. I trust that the scheme of loans to which Mr. Bose has referred will be seriously thought of, because if the public health improves it will be so much man-power gained, and it will also enable the province probably to earn more economically if our cultivators and our working people are not as badly off, from the health point of view, as they are now. What is worse, Sir—the people of our once healthy districts here are becoming unhealthy. Seventy years ago Burdwan was considered almost a sanitarium but it has lost that reputation for a good many years. Mymensingh and Dacca were healthy areas until about, say, 15 years ago, but Manikganj, Munshiganj and parts of Mymensingh have now been invaded by malaria and kala-azar and these and other diseases have been spreading fast towards other parts of Bengal. It is time that the Government seriously thought about the problem and saw not only that the vitality of the people was not sapped but also that the economic power of the country were not lost.

Rai Bahadur JOGESH CHANDRA SEN: Sir, as soon as the Hon'ble Finance Member shakes his head off goes the Minister and he does not get a dirty copper for his department from the stingy Government. By the time Government will be in a position to find funds for preventing diseases, nothing will remain but a barren tract of land, because almost all the people will die of malaria, kala-azar, cholera or other diseases and there will be none left to take advantage of the good work of Government. Money is the only solution and there are sufficient means available if you can find the money. Kala-azar, malaria, cholera, small-pox and other diseases are creating havoc in the country and to find the remedy for them would require a mint of money. I only hope that the Hon'ble Minister will try his best to get as much money as possible for this purpose.

Dr. AMULYA RATAN GHOSE: Sir, what Mr. Bose has suggested is perhaps the only practical way in which we can cope with the

diseases prevailing in the different parts of the province. Well, Sir, when there is something very necessary Government ought to find money from somewhere. When the Government wanted to keep down the political movement, the terrorist activities and things like that which were not congenial for peaceful administration, money was not found wanting: so also when people are dying in large numbers, when people are suffering in large numbers, when the country is becoming poorer by its inhabitants suffering and dying from preventible diseases, I think it is time for the Government to think of preventing those diseases. If that is not done, I think Government——

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: May I rise to a point of order, Sir? Is the hon'ble member speaking on sanitation or medical? He will have his chance when speaking on the next head.

Mr. PRESIDENT: What part of his speech do you object to?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: He was speaking about preventible diseases and they come under public health and not medical which we are now discussing.

Dr. AMULYA RATAN GHOSE: I am speaking on the general policy regarding public health.

Mr. PRESIDENT: The line of demarcation is no doubt very thin, but technically speaking we are not now discussing public health: we are discussing medical. You will have an opportunity of speaking on public health later on.

Dr. AMULYA RATAN GHOSE: Oh, I am sorry.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, may I at the outset assure Mr. S. M. Bose and Mr. Jatindra Nath Basu that I have got every sympathy with the underlying principles of the motions which they have moved. I am at one with them when they say that more money should be spent on medical relief in this province. Certainly it is the desire of every patriotic citizen that the hospitals should be improved and that nursing should be up to date, and that the amenities in the hospitals should be on the lines of the Western countries. Every patriotic citizen who has got the good of the country at his heart would feel disappointed if attempt is not made in this direction, but it is for the Government to show that that attempt is being made with the resources at their disposal. I venture

to submit that medical is a subject which has received adequate share of public revenue, it is a subject which has not at all been neglected since the introduction of the reforms, and to substantiate my statement I will quote the figures of the Medical budget during the last ten years. Actuals of 1920-21 were Rs. 27,19,000, the actuals of 1923-24 were Rs. 38,32,000, and the current year's revised estimate is Rs. 49,26,000. The next year's budget is going to be Rs. 50,71,000. Mr. Bose quoted some figures and wanted to show that the expenditure was being curtailed. I do admit that there are reductions here and there, but these reductions were due to the paying of certain capital expenditure, for instance, Rs. 4 lakhs promised and paid to the Jatiya Ayurvigan Parishad during the last four years, Rs. 50,000 to the Calcutta Medical School, Rs. 1 lakh to the Jadavpur Tuberculosis Sanatorium. The normal expenditure under head "Medical" remains the same if not gradually increasing. I would also point out that attempt has been made to cut down the expenditure where reduction is considered desirable, but similarly addition has been made under certain sub-heads where increase is considered desirable, for instance, under sub-head "Medical establishment" which was Rs. 8,60,000 in 1923-24, it is Rs. 7,80,000 in the next year's budget. This reduction has been effected not by reducing the quality of the medical relief afforded or the quality of officers appointed, but by substituting assistant surgeons for I.M.S. officers and by appointing honorary men for paid officers. Similarly the grant for medical purposes in 1923-24 was Rs. 1,94,000; in the next year's budget it is Rs. 2,21,000. Here the Government find that an addition is necessary and they have made the addition. Under head "Medical Schools" the expenditure in the year 1921-22 was Rs. 10,83,000 but in the next year's budget it will be Rs. 11,53,000. This is due to the opening of three medical schools, one at Mymensingh, one at Jalpaiguri, and one at Chittagong. These are certainly additions to institutions meant for medical relief and for training qualified medical men who would afford comparatively cheap medical relief in the rural areas. I would draw the attention of the House to the number of beds in the Government hospitals and Government aided hospitals. Their number was 1,657 in 1920 in Calcutta. The number in 1930-31 and 1931-32 was 1,951. Similarly, the number of beds in Government aided hospitals was 567 in 1920-21; the number in 1931-32 was 672. Besides these Government give an annual grant of Rs. 500 to each of the Sadar hospitals in the *mufassal* and Rs. 250 to each village dispensary. The number of such dispensaries in the *mufassal* is to-day 300 and their number is gradually increasing. So the whole countryside is now covered with dispensaries, there is almost a dispensary in every thana which receive Government grant. The Retrenchment Committee suggested that the I.M.S. Civil Surgeons should be substituted by assistant surgeons and some of these *mufassal* hospitals which are now in charge of assistant surgeons should

be placed under the charge of sub-assistant surgeons, but Government could not agree with these proposals mainly in the interest of the hospitals. Certainly if assistant surgeons were appointed as civil surgeons, the quality of work of the medical officers in charge of medical schools and dispensaries would deteriorate. Similarly it is not desirable that assistant surgeons should be replaced by sub-assistant surgeons, and the consideration which weighed with Government was the interest of these institutions. So, I maintain that Government have paid sufficient attention to the question of medical relief. Gradually increasing sums are being spent. As a matter of fact the expenditure under the head "Medical" has gone up during the last 30 years' time I believe by about 69 per cent. From Rs. 21 lakhs it is nearly Rs. 51 lakhs in the next year's budget. I wish that more money were available and I admit that the Sadar hospitals are not in a satisfactory state, because if we want to put them on a proper basis at least 4 to 5 lakhs of rupees recurring expenditure would be necessary, but that money is not available at present. Moreover, the local bodies, especially the municipalities, have not increased their contributions to the Sadar hospitals which were fixed some 20 years ago, but I do hope as I am sure is the feeling of my hon'ble friends in this House that with the introduction of the reforms and with the next financial arrangements more money will be available and increasingly larger sums will be spent on medical relief. As to the point raised by Mr. Bose that more money should be spent by Government on medical relief, and that Government should utilise the landlords' transfer fees which lapse after five years, I should like to point out that these fees go to the district boards. I believe my friend's idea is that this money should be spent in Calcutta (A VOICE: No). If not I stand corrected. Certainly this proposal should receive adequate consideration and I can assure him that my sympathies are with him and nobody would be happier than myself if I could induce the Government and the Hon'ble the Finance Member to place more money at my disposal. This is the time when Government could raise loan at a cheaper rate to meet recurring charges. With these few words I would request the mover of the motion to withdraw it.

Rai Bahadur Dr. HARIDHAN DUTT: Sir, may I be permitted to say a word or two in connection with what has fallen from the Hon'ble Minister? I am sorry that I differ from my hon'ble friend when he said that by substituting assistant surgeons for I.M.S. officers the work would deteriorate. I take exception to that. Personally I am of opinion that the Indian University men can hold their own against any medical man in the world. It is true that some times I.M.S. officers do better than the assistant surgeons, but that is because the assistant surgeons do not get opportunities. You keep them in the back ground and then say that they are not up to the standard of

I. M. S. officers. The name assistant surgeons has a bad odour about it and I do not know why they should be so called.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, is it fair on the part of the hon'ble member to raise points to which I would not be in a position to reply?

Mr. PRESIDENT: Your Secretary can meet those points, if required.

Rai Bahadur Dr. HARIDHAN DUTT: My friend made a very indiscreet remark which ought not to go unchallenged. My friend ought not to forget that the assistant surgeons are not here nor are they represented in this Council. I cannot but say that wherever the assistant surgeons have been given opportunities, there may be exceptions, they have acquitted themselves fairly well. Therefore I do not see any reason why the country should not make the experiment of employing so-called assistant surgeons in the higher posts.

SECRETARY to GOVERNMENT, LOCAL SELF-GOVERNMENT DEPARTMENT (Mr. H. P. V. Townend): Sir, I think it is very curious that any one should take exception to the Hon'ble Minister having referred to these officers as "assistant surgeons." There is absolutely nothing in this to which one can take exception. It is the name by which these officers have generally been known and they have made it a name that is respected. There is also absolutely nothing to take exception to in the remark that certain other officers are better qualified.

I do not know if any reply is really called for in this connection. There are undoubtedly medical officers who are better qualified than the assistant surgeon is usually. Of course, there are exceptions. Genius will out, no matter what the training: genius will always rise to the top. As regards the Indian Medical Service man, it cannot be denied that he is as a rule better. His training is of an exceptionally high order, and as a general rule, he is the better man. We must recognise the fact that assistant surgeons have not got the same opportunities; it is no good saying that if he had been given better training in his youth, he would have been as good a man as the I.M.S. officers. What we are considering now is the health of the people, and it is no use saying that these men are adequate for dealing with the health of the people because if they had been trained better and if they had had better luck during their youth, they would have been better qualified men. We must have the best. We can sympathise with the protest made on their behalf, but really—— The Hon'ble Minister has just asked me to point out a fact of which, I think, the House is already aware, and that is that we are experimenting with

assistant surgeons as civil surgeous in several districts. There are 19 districts in which assistant surgeons are acting as civil surgeons. In view of this, the suggestion that the Hon'ble Minister had not a proper opinion of the qualifications of the assistant surgeons, is entirely uncalled for.

The motion of Mr. S. M. Bose was then, by leave of the House, withdrawn.

Maulvi ABUL QUASEM: I beg to move that the demand of Rs. 4,18,000 under the head "32A—District Medical establishment" be reduced by Rs. 5 (to urge the undesirability of posting civil surgeons and asistant civil surgeons to their home districts and subdivisions).

The object of my motion is to urge the undesirability of posting civil surgeons and assistant civil surgeons to their home districts and subdivisions. Sir, I do not think that it is necessary to advance any reasons in support of this motion; the reasons are obvious. In their own subdivisions and districts, these surgeons should have a host of friends, acquaintances and relations. These surgeons have got to hold *post-mortem* examinations, they have got to report about and give evidence in police cases. Sir, the temptation is very great on the part of their friends, acquaintances and relatives to approach them with a view to influence them in a particular way in particular cases. It is very undesirable from the public point of view. These surgeons being placed in their own subdivisions and districts may be tempted sometimes to interfere in local affairs in the interest of their friends, acquaintances and relatives, which is also very undesirable from the public point of view. I have in view the case of a particular assistant civil surgeon in the district of Murshidabad. He was posted to the subdivision of Kandi, his home subdivision, and it is understood that he is now placed on supernumerary duty at Berhampore. About the activities of this officer at Kandi a representation was made to the District Magistrate. I only request the Hon'ble Minister to see that such cases do not occur in future.

With these words, Sir, I beg to commend my motion to the acceptance of the House.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I may state that it is the general policy of Government not to post officers in their home districts, and if there are exceptions and they are brought to my notice or of Mr. Townend, we should be glad to inquire into the matter and remedy the mistake. But at the same time I would enter a strong protest against the observation made by the hon'ble mover that these officers, when posted in their home districts, are open to the influence of their friends and relatives and they should not be posted there because

they have to perform *post-mortem* examinations or something else which he mentioned which I could not catch exactly. We have got a greater respect for their honesty, integrity than my friend, and I do think that they will acquit themselves thoroughly well though they are posted in their home districts. They will discharge their duties impartially, and with integrity. So, that remark of the hon'ble mover is absolutely unjustified and uncalled for.

The motion of Maulvi Abul Quasem was then put and lost.

Haji BADI AHMED CHOWDHURY: I beg to move that the demand of Rs. 5,47,000 under the head "32A—Medical establishment —Superintendence" be reduced by Rs. 100 (to draw attention to the fact that there is at present only one sub-assistant surgeon in the Cox's Bazar subdivision, chittagong, and that an assistant surgeon be appointed there).

The member made a speech in Bengali of which the following is a translation:—

"Sir, I beg to move that the demand of Rs. 5,47,000 under the head "Medical establishment" be reduced by Rs. 100 (for appointing an Assistant Surgeon in the Cox's Bazar subdivision of the Chittagong district in place of a Sub-Assistant Surgeon as at present).

In support I beg to state that Cox's Bazar is situated in a remote corner of Bengal and that it is about 100 miles from Chittagong. Communication between it and Chittagong is only by boat or steamer. The steamer plies only twice a week. It takes about 4 days to reach Chittagong from Cox's Bazar by boat. It is therefore, well-nigh impossible for people to take patients from Cox's Bazar to Chittagong for treatment or to requisition medical assistance from the latter place. Besides, many Government officials live at Cox's Bazar and for medical help can only have the services of the sub-assistant surgeon. Murder cases are not infrequent in Cox's Bazar and for *post-mortem* examinations in these cases it is not always safe to rely on the assistance of a sub-assistant surgeon. Rai Bepin Behari Rakshit Bahadur, the Chairman of the Municipality, sent many appeals on this subject to the authorities, but to no effect. When the Surgeon-General had last visited the place he held out the hope that an assistant surgeon would be appointed there but up till now the promise remains unfulfilled. So, I move that an assistant surgeon be appointed at Cox's Bazar as soon as possible.

I hope this motion will find your support."

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I may state in reply that Government very carefully considered this question and

transferred the officer who was employed at Cox's Bazar to Arambag on the ground that Arambag is a more unhealthy place than Cox's Bazar. I know there is a considerable local feeling among the residents of Cox's Bazar that the assistant surgeon should be restored to that station but Government has got to accept the recommendations of the Retrenchment Committee who are generally in favour of substituting sub-assistant surgeons for assistant surgeons, and Government found that this is the one instance where they could transfer an assistant surgeon without doing any harm to the station. If the Dispensary Committee are agreeable to pay the difference between the pay of an assistant surgeon and a sub-assistant surgeon, besides the allowance which is payable under the dispensary rules, to the medical officer, Government would be pleased to consider this proposal. With these few words, Sir, I would request the hon'ble mover to withdraw his motion.

Rai Bahadur JOGESH CHANDRA SEN: May I be permitted to draw the attention of the Hon'ble Minister to one thing? The Baraset subdivision of the District Board of the 24-Parganas is a notoriously bad place so far as public health is concerned. It was in charge of an assistant surgeon all along and recently he has been transferred and a sub-assistant surgeon has been posted there. People have a grievance in this matter, and I hope the Hon'ble Minister will kindly see if he can send an assistant surgeon there.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: On a point of personal explanation, Sir. As I mentioned in my opening speech, this particular posting at Baraset was done by way of accepting the recommendations of the Retrenchment Committee.

The motion of Haji Badi Ahmed Chowdhury was then, by leave of the House, withdrawn.

Rai Bahadur Dr. HARIDHAN DUTT: I beg to move that the demand of Rs. 41,000 under the head "32B—Hospitals and dispensaries—Pay of officers" be reduced by Rs. 100 (to discuss the necessity for co-ordination among all hospitals and dispensaries in Calcutta).

My object in moving this motion is to discuss the necessity for co-ordination among all hospitals and dispensaries in Calcutta.

Sir, I desire to draw attention to the anomalous state of affairs now prevailing in Calcutta with regard to medical relief and the entire lack of co-ordination in regard to the present affairs and to future policy. The three principal parties who are vitally interested in the question of medical relief are the local Government, the Corporation of Calcutta——

Mr. PRESIDENT: Rai Bahadur, you may move the next motion and make one speech on both.

Rai Bahadur Dr. HARIDHAN DUTT: My idea was to move the next motion only formally but I did not like to take them together. But if you so desire, I have no objection.

I beg to move that the demand of Rs. 15,15,000 under the head "32B—Hospitals and dispensaries" be reduced by Rs. 100 (to discuss the insufficiency of hospital accommodation in Calcutta).

My object in moving this motion is to discuss the insufficiency of hospital accommodation in Calcutta.

As I was just telling the House, the three principal parties who are interested in the question of medical relief of this city are the local Government, the Corporation of Calcutta and the authorities in charge of some of the private institutions in the city, namely, the Marwari hospitals, the Mayo Hospital, the Carmichael Hospital at Belgachia, the Calcutta Medical Institute, the Chittaranjan Hospital and the Chittaranjan Seva Sadan. Only about two decades ago, medical relief was practically the concern of the local Government so far as Calcutta was concerned. Owing to the facilities for treatment in complicated cases available in Calcutta, this big city has attracted a good many patients from the *mufassal* and also from outside the province a large number of people come to Calcutta for better treatment. Before the passing of the present Municipal Act, the Corporation was inclined to take the view that the provision of funds for medical relief in Calcutta was not one of their primary duties, but a discretionary one, and they therefore allotted comparatively small sums of money for grants to different hospitals and similar institutions. Their contribution to hospitals and dispensaries in Calcutta in 1923-24 amounted to Rs. 2,11,000 only, and in addition to this the Corporation maintained four or five outdoor dispensaries and spent about Rs. 40,000 on their maintenance and equipment. There has always been a crying need for increased hospital accommodation in Calcutta and also for extended facilities for medical education. To meet the situation to some extent, institutions have sprung up and they are also doing a good deal of useful work.

During the last few years there was a change in the attitude of the old Corporation towards the question of medical relief and some of us who were there succeeded to some extent in weaning them away from the fruitless academic discussion of primary duties and secondary duties and we induced the Corporation casually to share increased responsibility for running medical institutions in the city. When the new Corporation came into office in April, 1924, under the guidance of its first Mayor Mr. C. R. Das the Corporation made extension of

facilities for medical relief one of its chief items of work and since then the Corporation has been carrying on that policy with a considerable measure of success. For instance, I must thankfully acknowledge, the Corporation has increased its grant to hospitals which amounted to Rs. 2,11,000 in 1929-30 to Rs. 5,41,000 in 1930-31 and Rs. 6,26,000 in 1931-32, while in the present budget it has provided for an expenditure of Rs. 6,75,000 as grants-in-aid to the hospitals. Besides the Corporation itself is maintaining 18 dispensaries in addition to one homeopathic and one Unani dispensary and it spends a lakh of rupees on their maintenance. On the other hand I find that Government spent Rs. 16,75,000 on hospitals and dispensaries in Calcutta in 1930-31 in addition to a grant of Rs. 1,25,000 to the Calcutta Hospital Nurses' Institution. I regret I have not been able to get together the expenditure which private institutions in Calcutta also incur in that connection. That being the position it may, I think, be mostly contended that unless there is some co-ordination of effort and unity of aim it is likely that the most advantageous result from these different bodies will not be obtained. Inspite of Corporation's increasing contribution and increased voluntary effort there is a serious lack of hospital accommodation in Calcutta. Cases frequently come to our notice in which the ambulances have picked up patients they had to go from one hospital to another for their admission but ultimately they had to be brought back and dropped at the places from which they were taken for no other reason except that there was no accommodation available in any hospital in Calcutta. I am quoting this from the report of Mr. Westbrook, the Superintendent of the Fire Brigade. Under the present arrangement one particular group or class of cases may not have accommodation while at the same time accommodation allotted to some other group may be lying vacant. Personally, from inspection of some of these hospitals I and some of my friends who were associated with me found that accommodation had been earmarked for a particular class while patients who did not belong to that class but who needed admission could not be admitted. If all the institutions acted in mutual concert and, I once more repeat in mutual co-ordination, it is possible to improve the existing state of affairs. For its future development it is desirable that efforts should be co-ordinated. At present the private institutions which can afford it, have their own lines of development without reference to anybody else. For instance there has been some correspondence between the Government and the Corporation for the establishment of special hospitals in Calcutta for infectious diseases. A scheme was prepared and some tentative suggestions were made about the apportionment of cost between the Government and the Corporation but I understand that the negotiations could not make any headway owing to a difference of opinion, while there is an urgent need for the establishment of a hospital for infectious diseases in the outskirts of Calcutta. With

a view to doing something to meet the immediate and urgent requirements of the city the Corporation has been making special grants to private institutions for additional accommodation for diseases like cholera, etc.

(The Council was adjourned for 10 minutes for prayer.)

(After adjournment.)

Rai Bahadur Dr. HARIDHAN DUTT: I was just informing the House what took place between the Government and the Corporation in connection with the scheme for infectious diseases It seems to me very desirable that Government and the Corporation and the various principal medical institutions of this city should put their heads together to survey the existing situation in Calcutta and draw up a comprehensive scheme for the development of medical relief to the citizens of Calcutta. What I am suggesting is an advisory committee and not an executive one; it will have no executive authority except to advise. It will be left to the parties interested either to accept or to modify the suggestions which the committee might make and it will not fetter any individual initiative or the decision of any group. It will only place before them a well thought out and comprehensive scheme for development. This is my idea but since I have been talking to my friends I find that it is possible to extend this scheme to the whole of the province of Bengal instead of restricting it to Calcutta only. I have brought this before the House and drawn their attention to it as a citizen of Calcutta. If the Minister finds it of service the proposal may be extended to the whole of Bengal and the need for establishing hospitals and co-ordinating the work among the different medical institutions may be left to the committee which I have suggested.

Mr. W. L. ARMSTRONG: I beg to move that the demand of Rs. 15,15,000 under the head "32B—Hospitals and dispensaries" be reduced by Re. 1 to discuss means whereby the extension, improvement and maintenance of hospitals might be achieved in this province.

On another motion I submitted my views but there is one thing that I should like to add. All the objections I have heard against running a State lottery for hospitals are of a character that I can only describe as somewhat flimsy.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Can the hon'ble member discuss that question again because the House has given its definite decision already?

Mr. W. L. ARMSTRONG: At that time I suggested a non-official body to run the lottery but here I am asking the Government to do it. Lotteries are no new things in this city or in England. When the question of lotteries was last before the House I made a statement that the Calcutta Town Hall had been built from the proceeds of a lottery. Government admit this to be a fact. A well-known citizen of Calcutta Mr. Hobbs in a very informative book points out that the first Rs. 80,000 obtained for building the St. John's Church was obtained by a lottery; that extensive sanitary schemes, road extensions and tank making have been possible many years ago with finances obtained from the lotteries. In fact the British Museum was built from the proceeds of a lottery. Suicide is regarded as a crime but is it not also a crime when money is available at Government's door not to provide scientific means and accommodation for the preservation of life. What we want is a sweep, a clean sweep, against hypocracy and cant. We want a sweep which will enable us to get the money for what we require in Bengal, i.e., more hospitals and better equipped hospitals to satisfy the full needs of Bengal. The only objection I have heard against the proposal is that gambling is an evil and must not be encouraged. Another objection is that gambling is bad economics but we are not living in an ideal state of society. We must take things not as they should be but as they are. We have members of the House of Commons who propound theories of John Stuart Mill, Jevons' and Karl Mark, but are these theories put into effect when the members once get into the House of Commons? They prefer to deal with the exigencies of the circumstances rather than political professions or theories. I want Government to have the courage to come forward and take over the responsibility of running lotteries efficiently. I understand that certain Muhammadan members of the House are against lotteries on religious grounds and I would not for a single moment offend the religious feelings of my Muhammadan friends but I would ask them to be consistent. They must realise that while it is the tenets of their religion to forego all spirituous liquor——

Reverend B. A. NAG: And for Christians too.

Mr. W. L. ARMSTRONG: Mr. Nag is aware that he is a disciple of the finest wine manufacturer the world has ever known; He, who turned water into wine.

As I was about to say Muhammadans are quite aware that they benefit by the excise tax on every bottle of spirit consumed in the province. Those who have qualms of conscience may find themselves relieved to see that, whatever the architectural design of the structures may be, palaces to humanity are being erected and posterity will call us blessed.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Rai Bahadur Dr. Haridhan Dutt has pleaded strongly for co-ordination between all the authorities interested in the improvement of hospitals in Calcutta. It is certainly a very laudable proposal and on principle I am at one with him, but I may remind the hon'ble mover that an appeal for co-ordination will not actually bring us co-operation, because co-ordination presupposes co-operation. I would ask him to guarantee Government that this appeal for co-ordination which he makes to Government to-day would create a corresponding feeling of co-operation in the mind of the Calcutta Corporation, which is the Rai Bahadur's first love and I believe not the last.

Rai Bahadur Dr. HARIDHAN DUTT: I do not think it is as bad as that.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The Rai Bahadur asks me whether the condition of things is so bad as that but I will leave the answer of his query to himself. He knows to his cost, if I may say so, the state of affairs that now exist in the Corporation, half a mile away from this Chamber. We appointed a committee on the question of nursing in Calcutta: that committee is sitting now. We appointed representatives of various institutions interested in the question of nursing in this city on it, and the results of the deliberations of the committee as well as the action that the Corporation and the authorities of the other institutions will take on them are yet to be seen. The Rai Bahadur has said that there was a time when it used to be believed that medical relief was the primary concern of the local Government. We are told that the Corporation has changed its mentality since 1924 and it has been expending increasingly larger sums on medical relief. Sir, nobody welcome this change of mentality more than Government does but has it really given the citizens of Calcutta a true value for the money that the Corporation spends on medical relief? I am almost tempted to say "no". Besides Corporation institutions there are other private institutions, such as the Jadavpur Tuberculosis Sanatorium, the Calcutta Medical Institute, the Marwari Hospital and several other institutions that try to improve, and solve the question of medical relief in their own way. It would be an ideal state of affairs if the authorities of these several institutions could pool their resources together and co-operate with Government and among themselves to bring about a solution of the question of medical relief in this city, but that is a millennium which we all desire to achieve but which I am afraid will only remain a pious desire and no more, and is not likely to be realised in the near future. The Rai Bahadur has suggested that it should be an advisory committee and not an executive committee and it should not stand in the way of

individual initiative or fetter the discretion of the authorities of individual institutions, but then what would be the proper work of an advisory committee like this? If the authorities of different public bodies interested in medical institutions are at liberty to accept or reject the advice of this committee I would like to submit that it would be pure waste of time, pure waste of energy unless there is a guarantee that the Government, private individuals and the Corporation would be obliged to be guided by the advice tendered by this body. The Rai Bahadur himself has answered the question why there should not be such a body for co-ordination at present. His suggestion is that this body should draw up a scheme for the improvement of medical institutions in Calcutta. I may remind him that this is hardly an opportune time for development. This is a time when we can only afford, if at all, to maintain the existing institutions in their existing state. There is no money for improvement or development. He reminded us that a few years ago Government and the Corporation decided to open an infectious diseases hospital in Calcutta, but the negotiations fell through because they could not agree; but I may tell him—they did agree but because there was no money to start the institution the scheme fell through. If estimates are prepared now, they will be absolutely out of date by the time money is available, it will be nothing but a paper scheme. The House is no doubt aware that we can keep the doors of our existing hospitals and dispensaries open with great difficulty, and we are absolutely helpless in the matter. It was with very great difficulty that I could resist the pruning knife of the Finance Department being applied to the resources of our medical institutions. This is not the time for development. I do think that the ideal state of affairs about which my friend was so eloquent in advocating is not possible or practicable at the present moment but that ideal state of affairs has yet to come.

As regards the proposal of my friend Mr. Armstrong about an official lottery for the improvement of hospitals, I may say that it is the decision of Government that there should be no lottery, official or non-official, for improvement of hospitals or for any other purpose. He tells us that St. John's Church was built out of lottery——

(The time-limit having been reached, the Hon'ble Minister resumed his seat.)

The two motions of Rai Bahadur Dr. Haridhan Dutt were then, by leave of the House, withdrawn.

The motion of Mr. W. L. Armstrong was then put and lost.

The original demand under head "32—Medical" was then put and agreed to.

33—Public Health.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 38,63,000 be granted for expenditure under the head "33—Public Health".

Sir, about the Public Health budget I am in a much happier position and I venture to submit that not only almost the same amount has been provided for as in the current year but provision has been made for increasing activities of this department in some useful directions. But before I deal with them in detail I propose to make certain general observations about the various sub-heads in the budget.

Under sub-head "Grants for Public Health purposes" there is a total reduction of 18,000 rupees due mainly to smaller provision for rural public health units, maternity and child welfare grant and absence of provision for grant to the Kala-azar Commission. As regards the rural public health units it is really no reduction because Government pay a grant up to Rs. 2,000 per each unit and the money provided for is more than the revised estimate of the current year; even the full amount provided for may not be actually necessary. This smaller amount has been provided only to reduce the balance at the end of the year. The grant to Kala-azar Commission was paid last year by reappropriation and as there was no timely application by the association for a grant this amount could not be included in the ensuing year's budget. But, if necessary, Government hope to pay it by a supplementary demand.

The provision for maternity and child welfare includes Rs. 15,000 for *dai* training, Rs. 4,000 for Calcutta Health Week, Rs. 4,000 for *Mufassal* Baby Show and Rs. 5,000 for Dacca Maternity Work; total Rs. 28,000. It has been found from experience that savings could be effected under the two sub-items, viz., Calcutta Baby Week and *Mufassal* Baby Show, without in any way affecting usefulness of these exhibitions; the total grant has therefore been reduced by Rs. 7,000 for the sake of economy and retrenchment. The other important grants under that sub-head are rural water-supply, provision for waterworks in urban areas, augmentation grant, free vaccination grant, provision for vaccination inspecting staff, etc.; they remain almost the same. The provision for Jalpaiguri waterworks has been increased by Rs. 10,000; in addition to these a new provision has been made, viz., the contribution of Rs. 10,000 to the Tuberculosis Association of Bengal to help public education through propaganda against tuberculosis and for training members of the existing public health organisations in anti-tuberculosis work. Education of public opinion leading to prevention of the disease is of greater importance than

curative work. Government therefore decided to give preference to organisations doing the work of educating public opinion and anti-tuberculosis propaganda, to institutions which are trying to give relief to only a very limited number of patients. I wish it were possible for Government to make a more liberal contribution both to this association as well as to institutions undertaking curative work, but financial stringency stood in the way and they had to be satisfied with a limited grant to the Tuberculosis Association, though a grant of Rs. 10,000 is by no means a small beginning. The last important sub-head is "Expenses in connection with Epidemic Diseases" which shows an increase of nearly Rs. 34,000 in the ensuing year's budget than the budget provision of the current year and an increase of nearly Rs. 78,000 over the revised budget. This is due entirely to the large addition which has been made to the quinine grant in spite of 50 per cent. reduction in the provision for anti-kala-azar campaign. But this reduction was considered justified in view of the fact that there is a perceptible fall in the number of kala-azar patients during the last few years. For the information of the House and in support of this statement of mine I may quote the following figures which would show that not only there is a large fall in the number of patients treated but also in the intensity of the number of kala-azar patients in different areas:—

Kala-azar cases treated in special centres.

1927	90,457	(this includes cases treated in voluntary centres.)
1928	37,257	
1929	41,944	
1930	40,368	
1931	41,264	

Kala-azar cases treated at Bandel and Singur.

		Bandel.	Singur.
1927	...	... 1,711	1,856
1928	...	... 1,560	1,409
1929	...	... 2,036	1,165
1930	...	... 1,304	1,048
1931	...	... 1,198	710

Government propose to distribute free quinine to patients through agencies like the presidents and the members of the union boards and

health inspectors in charge of rural health units and try this experiment of free distribution in five thanas in four districts which show an excess of death rate over birth rate during the last 2 and 3 decades. The experiment would be tried in the districts of Burdwan, Hooghly, Nadia, Rajshahi and Faridpur. This is of course an additional method of anti-malaria operations, besides the experiment with quinine and *plasmoquine* in a selected area in Burdwan district, the expenses of which are proposed to be met from the provision for anti-malaria work in the rural areas. If this experiment succeeds with the improvement of the financial resources Government hope to start a regular anti-malaria campaign throughout the 15 districts of the province which are stricken with malaria. In addition Government with the help of the Irrigation Department have started a Contour Survey between the Hooghly and Damodar in the districts of Burdwan and Hooghly covering about 1,500 square miles to ascertain whether anti-malaria flushing schemes on the lines of Dr. Bentley cannot be undertaken. Besides these Government have conducted the anti-malaria operation in the vicinity of Calcutta to control the Ludlowi menace to the city and they have given partial effect to the recommendations of Major Covell by maintaining Survey Units at a cost of Rs. 10,473 and Budge Budge Chengail control work at Rs. 10,502 or at a total cost of Rs. 20,975.

Now I propose to deal with the various recommendations of the Retrenchment Committee affecting the Public Health Department and to state how far they have been accepted by Government.

The items of retrenchment suggested by the committee are—

(1) Abolition of the post of the Chief Engineer.

(2) Abolition of the posts of the Executive and Assistant Engineers and reduction in the number of the subordinate staff.

(3) Reduction in expenditure on the Bhatpara Sewerage scheme.

(4) Abolition of the posts of two Assistant Directors of Public Health, namely, the one in charge of vital statistics and vaccination and another in charge of the School Hygiene Bureau.

Of these recommendations Government have accepted the reduction of one Assistant Engineer and also the number of temporary staff resulting in a saving of Rs. 21,648. It was not practicable to weaken the department further than that. The reduction of Rs. 20,000 on Bhatpara Sewerage scheme was really suggested by the department. The Retrenchment Committee agreed to it and it was accepted by Government. The abolition of the two appointments of Assistant Directors of Public Health has also been accepted which would bring

saving of about Rs. 18,000. But the abolition of the School Hygiene Bureau is to my mind a retrograde measure which has been most reluctantly agreed to on the ground that we could not afford in the present state of our finances to strengthen it and thereby to make it more useful. The department agreed that unless it could be strengthened and the activities of the Bureau increased there was no objection to its temporary abolition.

The most important proposal of the committee was the abolition of the post of the Chief Engineer which Government could not accept. Because the work of the Public Health Department requires specialised knowledge in that branch of engineering. The duties of the Chief Engineer are not merely confined to construction but include control and supervision of waterworks, sewerage works and other public health works under local bodies. They require high technical knowledge and experience.

With these words I commend my motion to the acceptance of the House.

Adjournment.

[It being 7 p.m. of the clock]

The Council was then adjourned till 3 p.m., on Tuesday, the 28th March, 1933, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Tuesday, the 28th March, 1933, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 94 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Cattle in the district of Bankura.

***87. Babu SATYA KINKAR SAHANA:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state approximately the present number of cattle in the district of Bankura and their proportion *per capita* to the people of the district?

(*b*) Is the Hon'ble Minister aware that the general condition of the cattle in the district is deplorable?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps the Government have been taking or are contemplating to take for increasing the number and improving the condition of the cattle in the Bankura district?

MINISTER in charge of AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Nawab K. G. M. Farequi, Khan Bahadur): (*a*) According to the Cattle census of 1930 the total number of cattle in Bankura district is 865,452 and their proportion *per capita* of population is ·78.

(*b*) Yes.

(*c*) As stated in paragraph 22 of the Survey and Settlement Report of the district for 1917-24 the main difficulty in the way of improving the breed of cattle is the lack of grazing. The Agriculture Department is concentrating attention on the growing of fodder crops in the district and encouraging the people to grow more fodder for their stock and to use better bulls.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Minister be pleased to state whether Government consider it desirable for the improvement of the breed of cattle to maintain breeding bulls at district headquarters?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: I want notice.

Text-book in the infant class of Nawab Bahadur's Institution.

***88. Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) whether Adarsha Lipi and Sahaj Banan Siksha by Maulvi Kazi Abdul Hamid has been prescribed as a text-book for High English Schools;

(*ii*) whether it is a fact that the said book is being taught in the infant class of the Nawab Bahadur Institute, Murshidabad, to the Hindu boys of the school; and

(*iii*) whether it is a fact that in the said book the following passage occurs:—

"(uthé galo putul pujá jata kadachar, ushagamé jena dur hayeela andhar)"?

(*b*) If the answer to (*a*) (*iii*) is in the affirmative, is the Hon'ble Minister aware that the said passage is highly objectionable to the Hindus from the religious point of view?

(*c*) What steps do the Government contemplate taking in this matter?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) (*i*) No.

(*ii*) Yes, it was used for script writing by the pupils of the infant classes.

(*iii*) Yes.

(*b*) No complaint has hitherto been received by Government.

(*c*) The use of the book has since been discontinued in the Nawab Bahadur's Institution.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to state who sanctioned the use of that book?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Not Government, certainly.

Strength of clerical and gazetted staff of the Legislative Department and of the Council Department after separation.

*89. **Mr. P. BANERJI:** (*a*) Will the Hon'ble Member in charge of the Finance Department be pleased to state what are the strength of clerical and gazetted staff of the Legislative Department and of the Council Department after the separation?

(*b*) What are the rates of pay of the Superintendent of the Legislative Department and the Superintendent of the Council Department?

(*c*) Will the Hon'ble Member be pleased to state whether it is a fact that the posts of the Superintendents carry different rates of pay, and, if so, what is the cause of the differential treatment?

(*d*) Will the Hon'ble Member be pleased to state whether the rules obtaining in the Secretariat Departments in respect of their clerical establishments are similarly operative in the Council Department—

(*i*) in the case of upper division posts;

(*ii*) in the case of lower division posts; and

(*iii*) in the case of selection grade posts (upper and lower)?

(*e*) Will the Hon'ble Member be pleased to state whether it is the practice in the Secretariat that as soon as a candidate is, under the rules of the Government, considered eligible by any department for a selection grade post, he is allowed to get the benefit of the same without any reference to the Finance Department

(*f*) Are the Government considering the question of the staff of the Council Department, their pay and prospects, against the inauguration of the enlarged Council after the reforms?

MEMBER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (*a*) and (*b*) A statement is laid on the table.

(*c*) Yes, the two Superintendents are being paid on the same scales as before the separation of the departments. The cause of differential treatment is the different nature of the work done by each. The term Superintendent does not denote any specific range of responsibility.

(*d*) (*i*) and (*iii*) There are two superior posts only; they are not on the Secretariat scale; the question of recruitment for these posts has not yet arisen.

(*ii*) Yes.

(*e*) Yes.

(*f*) No.

Statement referred to in reply to starred question No. 39 (a) and (b).

COUNCIL DEPARTMENT.

(a) The gazetted and clerical strength of the Council Department—

Gazetted 2 (one Secretary and one Assistant Secretary) and clerical 14 (including 3 typists and 2 reporters, who are expected to help in clerical duties during recesses).

(b) The pay of the Superintendent of the Council Department is Rs. 150—10—250 per mensem.

LEGISLATIVE DEPARTMENT.

(a) The strength of the gazetted and clerical staff of the Legislative Department is as follows:—

Gazetted staff.	*Clerical staff (9).*
1 Secretary.	7 assistants, and
1 First Assistant Secretary.	2 typists.
1 Second Assistant Secretary.	
1 Legal Assistant.	

(b) The pay of the Superintendent of the Legislative Department is Rs. 200—10—300 per mensem.

Mr. P. BANERJI: With reference to (a) the statement only mentions two reporters as belonging to the Council Department. Do not the other reporters belong to the Council Department and are they not under the control of the Hon'ble President? If so why not?

The Hon'ble Mr. J. A. WOODHEAD: The other reporters are borne on the Secretariat establishment. They are, while working as reporters, under the control of the Hon'ble President of the Council.

Babu AMULYADHAN RAY: What is the justification of the higher pay of the Superintendent of the Legislative Department considering that he only controls 9 assistants, while the Superintendent of the Council Department controls 14 assistants?

Mr. PRESIDENT: I think it is not necessary to draw a comparison.

Babu JITENDRALAL BANNERJEE: Is it a fact that the gazetted staff of the Legislative Department is of the same strength as it was before the separation from the Council Department?

The Hon'ble Mr. J. A. WOODHEAD: I speak subject to correction; but I think that the gazetted staff is the same as before.

Babu JITENDRALAL BANNERJEE: Is it a fact that the salary of the Secretary to the Council is less than the salary of the First Assistant Secretary of the Legislative Department?

The Hon'ble Mr. J. A. WOODHEAD: I must ask for notice.

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware that the clerical staff is insufficient for the large amount of work involved?

The Hon'ble Mr. J. A. WOODHEAD: Where?

Maulvi SYED MAJID BAKSH: I refer to the Legislative Council Department.

The Hon'ble Mr. J. A. WOODHEAD: Not that I am aware of.

Calcutta Port Trust.

*90. **Mr. SYAMAPROSAD MOOKERJEE:** Will the Hon'ble Member in charge of the Marine Department be pleased to state—

(i) what is the total number of officers under the Calcutta Port Trust (senior and junior ranks being shown separately);

(ii) how many of them are Europeans, statutory natives of India (Anglo-Indians), Hindus and Muhammadans, respectively;

(iii) what percentage of the total amount spent on the salaries and allowances of these officers goes to Europeans, Anglo-Indians and Indians respectively?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (i) and (ii) The following statement gives the total number of officers now in the Commissioners' service, omitting men on leave preparatory to retirement; the term "officer" has been applied to all men coming under the Fundamental Leave Rules. The Commissioners have no division into senior and junior ranks, but men

have been shown under the former heading who draw more than Rs. 500 per month or are on a scale of pay rising above that amount.

			Senior.	Junior.
Europeans	..	..	116*	4
Anglo-Indians	..	..	72	127
Hindus	..	..	19	2,013
Muhammadans	..	..	Nil	186
Others	..	..	Nil	11
	Total	..	207	2,341

*This includes 74 Europeans in the Deputy Conservator's Department, the majority of whom are Master Mariners.

(iii) 32·8 per cent. to Europeans.

16·76 per cent. to Anglo-Indians.

46·28 per cent. to Hindus.

3·58 per cent. to Muhammadans.

·58 per cent. to other classes.

Khan Bahadur Maulvi AZIZUL HAQUE: Has the attention of the Hon'ble Member been drawn to the paucity or rather the total absence of Muhammadans in the senior branch?

The Hon'ble Mr. J. A. WOODHEAD: Yes, I have noticed the figures.

Khan Bahadur Maulvi AZIZUL HAQUE: Does the Hon'ble Member contemplate taking any steps in regard to the matter?

The Hon'ble Mr. J. A. WOODHEAD: I require notice.

Kalukhali-Bhatiapara Branch on the Eastern Bengal Railway.

***91. Maulvi SYED MAJID BAKSH:** (a) Is the Hon'ble Member in charge of the Public Works (Railways) Department aware that a new branch line has been opened over the Eastern Bengal Railway from Kalukhali to Bhatiapara?

(*b*) Is it a fact that owing to the lack of high level platforms at Kalukhali as well as at the other stations on the new line, a good deal of inconvenience is caused to the passengers, especially to females and children?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state whether it is in the contemplation of the Government to urge upon the proper authority to remove this inconvenience by raising the platforms?

(*d*) Is the Hon'ble Minister aware that there is no station between Madhukhali and Ghosepur, a distance of more than 6 miles?

(*e*) Is it a fact that a representation was made by the inhabitants of the intermediate villages to open a station at Ghorakhali, a place situated midway between the two abovenamed stations?

(*f*) If the answer to (*e*) is in the affirmative, are the Government considering the desirability of urging the proper authorities to open a station at Ghorakhali?

(*g*) Is it a fact that owing to short stoppage at Kalukhali of the Dacca and Chittagong mail trains, which are the only corresponding trains for the new line, great inconvenience is caused to the passengers of that line?

(*h*) If the answer to (*g*) is in the affirmative, are the Government considering the desirability of urging the proper authorities to increase the time for stoppage of these two trains at the said station?

MEMBER in charge of PUBLIC WORKS (RAILWAYS) DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (*a*) Yes.

(*b*) There are no high level platforms on the Kalukhali-Bhatiapara Branch. Two representations have been received by the Railway authorities complaining of inconvenience in this respect.

(*c*) As the Kalukhali-Bhatiapara Branch has proved a very unremunerative line and is worked at a heavy loss, it would not be justifiable for Government to urge upon the Railway authorities further expenditure upon it until conditions have improved.

(*d*) and (*e*) Yes.

(*f*) In view of the facts stated in the reply to question (*c*) Government do not consider it desirable to urge the Railway authorities to open a station at Ghorakhali.

(*g*) The Up and Down Chittagong mail trains and the Up Dacca mail stop 2 minutes each at Kalukhali and the Down Dacca mail 8 minutes.

(*h*) Owing to the very limited numbers of passengers now entraining and detraining at Khalukhali these stops are considered sufficient.

Maulvi SYED MAJID BAKSH: With reference to answer (*c*) is it not endangering the lives of women and children if a railway line is open and platforms are not provided?

The Hon'ble Mr. J. A. WOODHEAD: No, Sir, I do not think so.

Maulvi SYED MAJID BAKSH: Is it proper for the authorities to open railway lines in order to endanger the lives of women and children (Laughter)?

(No answer was given).

Health of détenu Maulvi Hamidul Huq of Hooghly.

*92. **MUNINDRA DEB RAI MAHASAI:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state the condition of the health of Maulvi Hamidul Huq of Hooghly interned in village Kalkini in the district of Faridpur?

(*b*) Is it a fact that the place is not suited to his health and he has been suffering from beri beri since his internment?

(*c*) Is it a fact that complaint has been made that the allowance sanctioned for him is inadequate?

(*d*) Is the Hon'ble Member considering the desirability of directing home internment in his case, thus enabling him to live with his old mother?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) and (*b*) This détenu was suffering from beri beri but is reported to have recovered after treatment.

(*c*) Yes.

(*d*) Not at present.

Persons appointed as ministerial officers in the offices of the District Judge and District Magistrate, Faridpur.

*93. **Rai Sahib REBATI MOHAN SARKER:** (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to state

the names of persons appointed as ministerial officers—temporary clerks or probationers—by the District Magistrate and the District Judge of Faridpur during the years 1930-1933, respectively?

(*b*) Will the Hon'ble Member be pleased to state the castes of all such persons and how many of them belong to the depressed classes?

(*c*) Will the Hon'ble Member be pleased to state how far the Government circular for the appointment of depressed class candidates in the ministerial services has been given effect to by the District authorities of Faridpur?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) and (*b*) A statement is laid on the table.

(*c*) The orders have not been complied with by one of the District Judges, and Government have already issued orders on the subject which they hope will enable the deficit in the number of appointments from the depressed classes to be made good.

Statement referred to in the reply to starred question No. 93 (a) and (b) showing the names of persons appointed as ministerial officers in the offices of the District Judge and the District Magistrate, Faridpur, during the year 1930-33.

OFFICE OF THE DISTRICT JUDGE, FARIDPUR.

Year.	Name of temporary clerks.	Castes.	Names of probationers.	Castes.
1930	Nil ..	....	1. Kazi Abdul Asen Md. Enayetulla.	Muhammadan.
1931	Nil ..	....	1. Sukhendu Bikash Sen, B.A.	Hindu (Baidya).
			2. Mir F. Q. Zinnatali.	Muhammadan.
			3. Nagendra Nath Bhattacharji, B.A.	Hindu (Brahmin).
			4. Md. Abdur Rashid.	Muhammadan.
			5. Nani Gopal Banerjee.	Hindu (Brahmin).
			6. Safi Mohd. Motaher Hosain.	Muhammadan.

Year.	Names of temporary clerks.	Castes.	Names of probationers.	Castes.
1932 ..	Nil ..	....	1. Dakshina Ranjan Ghosh, M.Sc.	Hindu (Kayastha).
			2. M. Hafez Ali Mea, B.A.	Muhammadan.
			3. M. Saiduddin Ahmad.	Ditto.
			4. Nirode Ranjan De, B.A.	Hindu (Kayastha).
1933 ..	Nil ..	....	No new appointments have been made up to date.	

OFFICE OF THE DISTRICT MAGISTRATE, FARIDPUR.

1930 ..	1. Babu Sisir Ranjan Ghosh.	Kayastha ..	Babu Sudhindra Nath Gupta.	Baidya.
	2. Prafulla Kumar Sarkar.	Ditto ..	Babu Sitesh Chandra Roy.	Brahmin.
		(Subsequently appointed probationer).	Babu Chandra Kumar Das.	Kayastha.
			Munshi A. Sattar Molla.	Muhammadan.
	3. Babu Suresh Chandra Lahiri.	Brahmin.		
	4. Hem Chandra Biswas.	Namasudra (Depressed class).		
1931 ..	1. Md. Serajul Haq.	Muhammadan.	Babu Ganesh Chandra Roy.	Baidya.
	2. Babu Prafulla Kumar Das Gupta.	Baidya ..	Mian Bazlar Rahaman.	Muhammadan.
	3. Mir Mazzam Ali	Muhammadan.	Babu Jyotish Chandra Gupta.	Baidya.
	4. Babu Ramesh Chandra Banerjee.	Brahmin.		
	5. Babu Birendra Nath Sarkar.	Native Christian.	M. Baharuddin Ahmad.	Muhammadan.
	6. Babu Nagendra Lal Banerjee.	Brahmin.		
	7. Babu Khetra Nath Pal.	Kumar (Depressed class).		
1932 ..	Babu Amulya Bhusan Sen.	Baidya ..	Babu Benode Lal Das.	Kayastha.
			Munshi Salimuddin Ahmed.	Muhammadan.
	Babu Monoranjan Das.	Dhupi (subsequently appointed Khas Tahsildar (Depressed class).	Babu Hem Chandra Biswas.	Namasudra (Depressed class).
			Babu Prafulla Kumar Sarkar.	Kayastha.
	M. Salumuddin Ahmad.	Muhammadan.		
	Shah Md. Obedar Rahman.	Ditto.		
1933 ..	Nil ..	....	Babu Suresh Chandra Lahiri.	Brahmin.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to inform us why the term "Depressed classes" is being used in the matter of appointments and not in the matter of franchise?

The Hon'ble Mr. W. D. R. PRENTICE: I am afraid critics like Mr. Basu will find many such items. The term "Scheduled castes" has really so far been used in constitutional literature only. It has not yet been introduced in the Appointment Department.

Mr. NARENDRA KUMAR BASU: May I enquire whether the terms "Scheduled castes" and "Depressed classes" are interchangeable?

The Hon'ble Mr. W. D. R. PRENTICE: No.

Babu AMULYADHAN RAY: Will the Hon'ble Member be pleased to state the name of the District Judge who did not comply with the orders?

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice.

Babu AMULYADHAN RAY: Will the Hon'ble Member be pleased to state whether there has been only one District Judge who has not complied with the orders?

The Hon'ble Mr. W. D. R. PRENTICE: Only one in Faridpur.

Babu AMULYADHAN RAY: Has the District Judge of Bakarganj complied with the orders?

The Hon'ble Mr. W. D. R. PRENTICE: I cannot enter into that when dealing with a question relating to Faridpur.

Babu AMULYADHAN RAY: Will the Hon'ble Member be pleased to inquire into the matter?

The Hon'ble Mr. W. D. R. PRENTICE: Yes, I will.

Reverend B. A. NAG: In column 3 of the statement under the head "Castes," "Native Christian" is mentioned: is the Hon'ble Member aware that Christians do not believe in caste and object to that term?

The Hon'ble Mr. W. D. R. PRENTICE: I am afraid I did not check the details of the statement. If Mr. Nag will kindly give me the proper term I will certainly correct it.

[illegible] **[illegible]:** "Religion" is the proper word. Does the Hon'ble Member know that the word "Native" is held to be objectionable and that the word should have been "Indian"?

The Hon'ble Mr. W. D. R. PRENTICE: Yes, I am sorry that a mistake has been made.

Faridpur railway station.

*94. **Rai Sahib AKSHOY KUMAR SEN:** (*a*) Will the Hon'ble Member in charge of Public Works (Railways) Department be pleased to state whether it is a fact that the Bar Association, the Merchants' Association, the Passengers' Association and the Faridpur Municipality have sent representations to the Eastern Bengal Railway authorities, praying that the sum allotted for temporary improvement of the present railway station at Faridpur be spent towards the construction of the proposed new station at the selected site?

(*b*) If so, has any reply been given to any of those representations?

(*c*) If not, will the Hon'ble Member be pleased to state what the Eastern Bengal Railway propose to do with the money allotted for temporary improvement of the present railway station at Faridpur?

The Hon'ble Mr. J. A. WOODHEAD: (*a*) Yes. But a representation was also received from the Faridpur Govindapur Merchants' Association stating that their members contributed about 70 per cent. of the railway earnings at Faridpur and asking that the station should be left at the present site.

(*b*) A reply has been sent to the District Magistrate, Faridpur, in regard to these representations stating that, as public opinion at Faridpur appeared on the whole opposed to the suggested improvements at the existing Faridpur station, the proposal would be cancelled, but that the consideration of the question of a new station at another site would have to await improved financial conditions.

(*c*) The money proposed for expenditure on the improvement of the present railway station at Faridpur will not now be spent.

Utilization of the tax realised on petrol and motor vehicles.

*95. **Rai Bahadur SATYENDRA KUMAR DAS:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the tax realised on petrol and motor vehicles was intended to be earmarked for improvement of roads in the province?

(b) Will the Hon'ble Minister be pleased to lay on the table a statement showing the appropriations sanctioned and actually made out of the revenues arising out of the petrol tax and the Motor Vehicles Act during the last two years district by district in rural and urban areas?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (a) Certain sums of money are allotted to the provincial revenues by the Government of India, out of the proceeds of the tax on petrol, to meet expenditure on specified schemes of road development, not for the improvement of roads in general.

The proceeds of the motor vehicles tax (less cost of collection) are earmarked for the construction and maintenance of roads in the province.

(b) Figures are not available to show how much has been expended from the grants made by the Government of India in individual districts and in rural and urban areas.

No appropriations have yet been made out of the proceeds of the motor vehicles tax.

Mr. NARENDRA KUMAR BASU: When does the Hon'ble Minister expect these appropriations to be made?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: We have settled the basis on which the allotment should be made at a meeting of the Provincial Road Board which was held on the 24th instant. The allotments will now be made.

Mr. NARENDRA KUMAR BASU: Is it not a fact that most of the money came into the hands of Government just about a year ago?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: No.

Mr. NARENDRA KUMAR BASU: When was the major portion of the tax realised?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The major portion was realised in July last and since then the collections are being made.

Mr. NARENDRA KUMAR BASU: If the allocation has taken about 7 months, how long is the appropriation likely to take?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The allocation has not taken seven months. We had to settle the basis on which the allocation had to be made. Informations were received from different bodies and on those informations the basis of the allocation was settled at the last meeting of the Road Board.

Mr. NARENDRA KUMAR BASU: Now that the basis has been settled, will the appropriation take another 7 or 8 months or will it be expedited?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: It will be done as soon as possible.

Babu SATISH CHANDRA RAY CHOWDHURY: Does the Hon'ble Minister intend to circulate the principles and rules according to which the allocation will be made for the information of the several local bodies?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The local bodies are not much interested in the principle. The principle is the concern of the Provincial Road Committee and of Government.

Khan Bahadur Maulvi AZIZUL HAQUE: Does the Hon'ble Minister intend to circulate it to the members of this House?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I have no objection.

Dr. NARESH CHANDRA SEN GUPTA: Is the Road Board an advisory body for the motor vehicles taxation?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes.

Dr. NARESH CHANDRA SEN GUPTA: Did the Hon'ble Minister intend to consult the local bodies before finally fixing the basis and the principle of allocation?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: In that case it would have taken 7 years and not 7 months to make the allotment.

Khan Bahadur Maulvi AZIZUL HAQUE: Does the Hon'ble Minister mean that the local bodies would have taken 7 years to send their opinions?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I think they have taken unusually long time.

Maulvi SYED MAJID BAKSH: Upon what principle and upon what information the allocation was fixed?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Upon the mileage of the road maintained by each district board and municipality and the expenditure on maintenance.

Maulvi SYED MAJID BAKSH: How are the needs of a particular case to be determined?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: It has got to be determined on certain principles. We cannot hope to meet the necessity of each individual local body.

Transfer of Md. Serajul Huq and Dr. Nilratan Das of Hooghly to Andamans.

*98. **MUNINDRA DEB RAI MAHASAI:** (a) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether it is a fact that Md. Serajul Huq and Dr. Nilratan Das of Hooghly, Arms Act case prisoners, sentenced for five years and seven years respectively in 1930 and 1931, have been transferred to the Andamans?

(b) If so, will the Hon'ble Member be pleased to state the reasons for their transfer?

(c) Are the Government considering the desirability of classing them in division II in view of the fact that both of them come from respectable families and are well-educated?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (a) Only convict Serajul Huq has been transferred to the Andamans.

(b) Because he was convicted of a serious crime.

(c) No. The case of convict Serajul Huq has already been considered. No application has been received from convict Nilratan Das.

Mr. SMANTI SHEKHARESWAR RAY: With reference to (c), is it the usual practice to send people convicted under this section to the Andamans?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have already answered that question in (b).

Khan Bahadur Maulvi AZIZUL HAQUE: Why should a prisoner convicted for 5 years be sent to the Andamans instead of the prisoner convicted for 7 years?

The Hon'ble Sir PROVASH CHUNDER MITTER: Because very possibly the offence is more serious in his case.

Khan Bahadur Maulvi AZIZUL HAQUE: Is the offence for which 5 years' imprisonment is given more serious than an offence for which seven years' imprisonment is given?

The Hon'ble Sir PROVASH CHUNDER MITTER: We have to act on certain principles and for those principles we are not the sole authorities, although we are responsible for carrying them out. The Government of India have a say in the matter.

Khan Bahadur Maulvi AZIZUL HAQUE: Two men are convicted for the same offence and one is given five years and another seven years. Is the offence of the former more serious than that of the latter?

The Hon'ble Sir PROVASH CHUNDER MITTER: It may be that the former was transferred to the Andamans because of the serious nature of the offence, that is to say, his presence here would have been a serious menace to jail discipline and to society. For example, if a man commits a burglary or an ordinary dacoity, Government do not consider that such offences are so serious as to be a menace to society. But a man guilty of throwing bombs or shooting with a revolver may be considered to be a menace to society.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether the policy of Government is to enhance the punishment given by the court in certain crimes considered by Government to be serious?

The Hon'ble Sir PROVASH CHUNDER MITTER: No.

Mr. NARENDRA KUMAR BASU: Then, why was the offence of a prisoner convicted for five years considered to be serious and as a result he was sent to the Andamans?

The Hon'ble Sir PROVASH CHUNDER MITTER: Because under the Prisons Act a prisoner can be transferred to the Andamans or to any other province in British India. A prisoner may be transferred from Madras to here and from here to any other province.

Mr. NARENDRA KUMAR BASU: Is it the policy of the Government to send to the Andamans prisoners who are convicted of serious crimes even though they may have been sentenced by the court to rigorous imprisonment?

The Hon'ble Sir PROVASH CHUNDER MITTER: Under the Prisons Act a prisoner can be transferred from one place to another. The policy of the Government of India and of this Government is that certain classes of prisoners who are a menace to society or to jail discipline should be transferred to the Andamans.

Mr. SHANTI SHEKHARESWAR RAY: Was the particular prisoner a menace to jail discipline?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have nothing further to add.

Mr. SHANTI SHEKHARESWAR RAY: What was the serious nature of the crime of this particular convict?

The Hon'ble Sir PROVASH CHUNDER MITTER: I would ask for notice.

Maulvi SYED MAJID BAKSH: How is it that when two persons are convicted of the same offence one only is sent to the Andamans?

The Hon'ble Sir PROVASH CHUNDER MITTER: That depends on the facts of the case. If the hon'ble member asks for further information, I will give him if he gives notice. I May, however, state generally that these cases are very carefully considered by the Government and when they think that the offence is such that the prisoner should be transferred to the Andamans, he is so transferred.

Khan Bahadur Maulvi AZIZUL HAQUE: Are the Andamans an Indian province?

The Hon'ble Sir PROVASH CHUNDER MITTER: They are under the British Indian administration. If the hon'ble member who is a lawyer will look into the Prisons Act, he will find that a prisoner can be sent to any part of British India.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to say whether he personally looks into the cases of these prisoners who are sent to the Andamans?

The Hon'ble Sir PROVASH CHUNDER MITTER: I should like to have notice of that.

Dr. NARESH CHANDRA SEN GUPTA: Does the Hon'ble Member mean to say that the period of imprisonment is no indication of the seriousness of the crime?

The Hon'ble Sir PROVASH CHUNDER MITTER: I do not mean to imply anything of that nature.

Expenditure on the Retrenchment Committee Report.

*97. **Rai Sahib AKSHOY KUMAR SEN:** Will the Hon'ble Member in charge of the Finance Department be pleased to state—

(a) what expenditure was incurred for getting the report of the Retrenchment Committee out;

(b) what amount is proposed to be saved by the partial acceptance of the recommendations in the Budget for 1933-34?

The Hon'ble Mr. J. A. WOODHEAD: (a) Rs. 42,823-5-8.

(b) It is impossible to estimate at present the total amount likely to be saved in the budget for 1933-34 consequent on the retrenchments to be effected as a result of the acceptance of the Retrenchment Committee's recommendations. The Council will be kept informed of the savings made.

Rai Sahib AKSHOY KUMAR SEN: Were the savings taken into account at the time of framing the budget for 1933?

The Hon'ble Mr. J. A. WOODHEAD: No, Sir, all the savings could not be taken into account.

Babu SATISH CHANDRA RAY CHOWDHURY: Have the savings so far affected covered the cost of the Retrenchment Committee?

The Hon'ble Mr. J. A. WOODHEAD: Yes, I would refer the hon'ble member to the Memorandum already circulated.

Construction of a flag station at Baligori on the East Indian Railway.

*98. **Maulvi ABDUL HAKIM:** (a) Will the Hon'ble Minister in charge of the Public Works (Railways) Department be pleased to state whether it is a fact that a large number of people of village Baligori and other adjoining villages in thana Tarkeshwar, district Hooghly,

submitted representations to the East Indian Railway authorities in recent years for the construction of a flag station in the said village, Baligori?

(*b*) Is it a fact that a large number of passengers from the said villages are required to walk a distance of about 3 to 4 miles daily to entrain themselves at Tarkeshwar station?

(*c*) Is it a fact that the district board road leading to Tarkeshwar station is a *kutcha* road?

(*d*) Is it a fact that traffic of all descriptions sometimes become impossible during the rainy season?

(*e*) Is the Hon'ble Minister aware that the village of Baligori, being an important village, both the passenger and goods traffic are greatly suffering?

(*f*) If the answer to (*e*) is in the affirmative, are the Government considering the desirability of constructing a flag station at Baligori at an early date?

The Hon'ble Mr. J. A. WOODHEAD: (*a*) A representation was made in 1925 by Babu A. L. Kar and others on the subject of the opening of a new station between Bahirkhand and Tarkeshwar, but it was decided that the conditions did not warrant the provision of an additional station. Recently another representation has been made and the matter is under investigation by the Divisional Superintendent, East Indian Railway, Howrah.

(*b*) The distance from Baligori to Tarkeshwar is 1½ or 2 miles and the number of daily passengers who walk from Baligori to Tarkeshwar to entrain is reported to be only about 10 or 12: no information is available about the number of passengers from other villages near Baligori.

(*c*) and (*d*) Yes.

(*e*) It does not appear that passenger and goods traffic is suffering.

(*f*) In view of the concluding portion of reply to (*a*) the question does not arise.

Maulvi ABUL KASEM: With reference to answer (*b*) is not the distance from Bahirkhand and Tarkeshwar only three miles and five furlongs?

The Hon'ble Mr. J. A. WOODHEAD: I do not know, Sir.

Maulvi ABUL KASEM: With reference to (*c*) and (*d*) is it not the duty of the railway authorities and the district board to maintain feeder roads and approaches to railway stations?

The Hon'ble Mr. J. A. WOODHEAD: I believe it is the duty of the district board.

Pending sessions cases at Faridpur Sessions Courts.

*73. **Rai Sahib AKSHOY KUMAR SEN:** Will the Hon'ble Member in charge of the Judicial Department be pleased to state—

(a) how many sessions cases are pending in the Sessions Courts at Faridpur; and

(b) how many criminal appeals are pending in those courts?

* **MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice):** The following represent the figures as they stood on the 15th March, 1933:—

(a) 5.

(b) 14.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Percentage of free and half-free studentship for the Moslem boys.

73. **Mr. A. F. M. ABDUR RAHMAN:** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether he is aware that the reduction of percentage of free and half-free studentship for Moslem boys in Government and aided schools from 15 to 5 per cent. has caused great hardship to them particularly in this year of agricultural depression?

(b) If the answer to the above is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government are considering the desirability of rescinding the order and of restoring the percentage of free and half-free studentships for the Moslem boys?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (a) and (b) The percentage has not been reduced. The rule, which has evidently given rise to the member's apprehension, provided for free studentships for members of the backward classes, but was not intended to affect the percentage available to Moslems. Steps are being taken to make the position quite clear.

Concession sanctioned by the Railway Board for the Agricultural Department.

74. **Babu KISHORI MOHAN CHAUDHURI:** (a) Is the Hon'ble Member in charge of the Public Works (Railways) Department aware that the Railway Board have granted concession rate of conveyance for the propagation of improved seeds, sugarcane cuttings, etc.?

(*b*) Are the Government considering the desirability of moving the Railway Board (Eastern Bengal Railway) to grant similar concession rates for conveyance of bulls, cows and calves of good breed for the improvement of Bengal cattle?

The Hon'ble Mr. J. A. WOODHEAD: (*a*) Yes, all kinds of seeds, seedlings, cuttings, seed sugarcane and plants, booked by or for the Agricultural Department are charged at quarter parcels rate at Owner's Risk provided they are covered by a certificate from a gazetted officer of the Agricultural Department to the effect that the articles are intended for *bona fide* agricultural purposes. This concession was sanctioned by the Railway Board.

(*b*) Government are prepared to consider this question.

Primary and secondary schools in Bengal.

75. Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing—

(*a*) the total number of primary and secondary schools in Bengal;

(*b*) the number of schools that are receiving Government grants;

(*c*) the amount of such grants;

(*d*) the number of schools that have been aided or helped—

(*i*) by *zamindars* or landlords, and

(*ii*) by other persons;

(*e*) the number of schools that have been financed for the construction of buildings and for purchasing furniture—

(*i*) by landlords, and

(*ii*) by others;

(*f*) the number of schools in which the buildings are the properties or are the gifts of—

(*i*) the local *zamindars*, and

(*ii*) other persons;

(*g*) the total number of private scholarships; and

(*h*) how many of them are endowed by the landlords and how many by others?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) 64,288.

(*b*) and (*c*) 50,204 schools receive grants aggregating Rs. 50,76,352 from public funds (inclusive of grants made by local bodies).

(*d*) to (*h*) The compilation of this information would involve a laborious inquiry which Government regret they are not prepared to undertake.

Appointment of depressed class candidates to the district boards.

76. **Babu LALIT KUMAR BAL:** Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the Government are considering the advisability of extending the circular of 28th April, 1931, regarding the appointment of depressed class candidates to the district boards of those districts where it is applicable?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: No. Government cannot interfere with the discretion of the district boards in such a matter.

Ahsanullah School of Engineering, Dacca.

77. **Rai Sahib REBATI MOHAN SARKER:** Is the Hon'ble Minister in charge of the Education Department aware—

(*i*) that the *mistries* of the Ahsanullah School of Engineering have not as yet received any reply from the Director of Public Instruction, Bengal, to their application of April, 1931, for being made permanent; and

(*ii*) that there are permanent *mistries* in the Government School of Art, Calcutta, Dacca Collegiate School, Dacca Intermediate College, Khulna Technical School and Kurseong Victoria School?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*i*) No application from the *mistries* of the Ahsanullah School of Engineering was received by the Director of Public Instruction in April, 1931. It is however understood that applications were received by the Principal of the Ahsanullah School of Enginering, Dacca, from six temporary *mistries* on the subject of their being placed on a permanent basis. All the applications were put up before the Governing Body who did not proceed with the matter as Government had decided that the workshop establishment of the Ahsanullah School of Engineering, Dacca, should remain on a temporary basis.

(*ii*) The Coronation Technical School, Khulna, is a District Board School. There are permanent *mistries* in the other institutions mentioned.

Compulsory re-vaccination.

78. **Rai Bahadur JOGESH CHANDRA SEN:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government (Public Health) Department be pleased to state whether it is not an almost universally accepted fact that vaccination is a sure protection against small-pox?

(*b*) If so, are the Government considering the desirability of introducing a measure to make re-vaccination compulsory?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) Vaccination is accepted as a sure protection against small-pox by almost all medical men, but it is not so accepted by a large proportion of the general public in India.

(*b*) Not at present.

Bogra Loan Office, Ltd.

79. **Khan Bahadur Maulvi HAFIZUR RAHMAN CHAUDHURI:** Will the Hon'ble Member in charge of the Commerce Department be pleased to state whether the Government are considering the desirability of making an inquiry, by some official or by the Registrar, Joint Stock Companies, under sections 137, 138, 139 of the Companies Act VII of 1913, into the affairs of the Bogra Loan Office, Limited, which have of late become the subject of various speculations arising out of the questionnaire sent on 20th January, 1933, by some share-holders of the company to its managing director and which had not been answered nor any information regarding them was vouchsafed either on, during, or after that date up till now, although the questions were of vital interest to the depositors whose deposits amount to nearly 30 lakhs of rupees in the company, whereas the paid up share capital is 60 thousand rupees only?

MEMBER in charge of COMMERCE DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): As regards section 137, the Registrar reports that the company has complied with all statutory requirements, and that therefore there is no need for him to take action. As regards sections 138 and 139 no application has been received by Government; the question of appointing an inspector therefore does not arise.

Bengalee State prisoners in the Mianwali District Jail.

80. **Dr. AMULYA RATAN GHOSE:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state

whether it is a fact that some Bengalee State prisoners have been detained in the Mianwali District Jail in the Punjab under Regulation III of 1818?

(*b*) Has it been brought to the notice of the Hon'ble Member that their friends and relations have not been receiving any communication from them for a long time?

(*c*) If the reply to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state the reason for such discontinuance of communications on their part?

(*d*) Have the Government received any complaint from any of these State prisoners about the condition of their life at Mianwali?

(*e*) Has a Bengalee cook been supplied to these prisoners?

(*f*) If the reply to (*e*) is in the affirmative, will the Hon'ble Member be pleased to state whether the cook is a professional one, or a mere convict?

(*g*) Are the Government considering the desirability of supplying a Bengalee professional cook at Mianwali?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) Yes.

(*b*) No such complaints have been received by Government.

(*c*) Does not arise.

(*d*), (*e*), (*f*) and (*g*) Government have no information on these matters which are within the discretion of another Government.

Collection of cess by district boards from Government estates.

81. Babu SUK LAL NAG: (*a*) Is the Hon'ble Member in charge of the Revenue Department aware that a circular letter was issued recently by the Secretary to the Board of Revenue, Bengal, that district boards should henceforth only be paid the actual amount of cess collected from Government estates?

(*b*) If the answer is in the affirmative, will the Hon'ble Member be pleased to state whether the same principle will be followed in respect of private landlords and *zamindars* making payment of cess to the Government in respect of their *tauzis*?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Prevash Chunder Mitter): (*a*) Yes. The circular letter is based on section 7 of the Cess Act.

(*b*) No. The member is referred to the statutory provisions of sections 41 and 42 of the Cess Act.

DEMANDS FOR GRANTS.

33—Public Health.

Mr. S. M. BOSE: I move that the demand of Rs. 1,13,500 under the head "33A—Public Health establishment—Director of Public Health (Transferred)—Pay of officers" be reduced by Rs. 10 (to discuss the inadequacy of the grant and the question of procuring sufficient expenditure for public health, if necessary, by loan).

Sir, yesterday on motion No. 658, I dealt at some length with a similar resolution under the head "Medical" to discuss the inadequacy of the grant, and suggested a loan scheme. To-day, here, I move a similar motion regarding public health; so I shall be very brief. I admit that the record of expenditure for public health is better than that for "Medical" that I gave yesterday. For instance, the actuals of—

		Rs.
1928-29	..	32,69,000
1929-30	..	34,90,000
1930-31	..	36,50,000
1931-32	..	37,48,000, and
Budget Estimate for 1932-33	..	38,60,000, and
1933-34	..	38,63,000

This is fair, but I submit it is quite insufficient. I want at least Rs. 50 lakhs for this important work every year. We must have a loan raised for this. I have already given my scheme yesterday. We want the Minister to spend money lavishly for public health. There is very great need for expenditure in this direction, as we all know, and we all want more money for public health. We do not mind running into debt, and so I hope our Minister will from now start asking for more and more money. I shall not elaborate what I have already said yesterday, that we should spend lavishly on these objects and we must show a great deal of expenditure. I want to lay stress upon another matter, as I did yesterday, that pending financial arrangement with the Government of India it would be wrong on our part to show a small total expenditure just enough to meet our bare needs. In our fight with the Central Government our case will be enormously strengthened if, in our demand for more money, in our demand for a larger share of the income-tax and the whole of the jute tax, we can show that we really do need a very large sum of money for our requirements. So, we ought not to stint spending money on these objects, and I hope our Hon'ble Minister will try from now to get more money and press upon the Government the need for loans for this purpose.

Mr. NARENDRA KUMAR BASU: Sir, I beg to support this motion. I do not think that it is necessary for Mr. Bose who has moved this motion to stress the urgency and the great need of the province so far as public health is concerned. Bengal is notoriously malarious, and it is notoriously suffering from many other serious diseases, and the inadequacy of the public health grant needs no iteration or reiteration. As members are aware, the total budget of the Public Health Department is about Rs. 39 lakhs.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: It is about Rs. 40 lakhs.

Mr. NARENDRA KUMAR BASU: Well, Rs. 39 lakhs or Rs. 40 lakhs, that is 3·6 per cent. of the total expenditure budget, that is to say, Bengal is spending 96·4 per cent. in torturing the people, on "law and order" and on other departments, and for saving the life of the people of Bengal, the Government of Bengal spends the magnificent percentage of 3·6. I take the Hon'ble Minister's figure, and say that it is Rs. 40 lakhs. Well, you are spending the magnificent sum of Rs. 40 lakhs for looking after and preserving the life and health of 50,000,000 of people in your province, that is to say, you are spending the magnificent sum of one anna and three pies per head of the population. The Minister says, about Rs. 40 lakhs, and I am making calculations on that basis of Rs. 40 lakhs. Does the Hon'ble Minister know what civilised countries are really spending on public health; what Great Britain spends, whose civilisation we are aping here? Great Britain spends 10 shillings per head of the population on public health; and even France, poor France compared with Great Britain, spends 104 francs per head on public health and labour combined--I have not been able to get public health figures alone. Contrast with that the magnificent sum of Rs. 40 lakhs for 50,000,000 people, on which the Hon'ble Minister, I hope, is not congratulating himself. Sir, I submit that the menace to this province from various diseases, most of them preventible, preventible by means of spending more money, is tremendous. We heard it only last week, I saw it in the papers that His Excellency the Governor pointed out that from the report of the Indian Tuberculosis Association it appeared that a large number of tuberculosis patients in Calcutta were not being treated at all, but the provision for a sanatorium for tuberculosis patients is absolutely wanting in this budget. Sir, in Bengal we have got only one hospital for tuberculosis patients and that is at Jadabpur, and there is absolutely no provision in the budget for any grant towards the Jadabpur Sanatorium. For the Tuberculosis Association, the magnificent sum of Rs. 10,000, on which the Hon'ble Minister is probably likely to congratulate himself, has been provided. I submit, Sir, that it is idle to say that this grant is in any way adequate. Sir, we have been told that there are at the present moment no less than 30,000 active cases of phthisis in Calcutta alone,

and 800,000 cases in the rest of Bengal, and there is not a single preventive sanatorium or climatic sanatorium in Bengal for them. As to these 800,000 cases, I have it on the authority of the Director of Tuberculosis Research Society, Dr. A. C. Ukil, that one out of every ten deaths in Bengal is from lung tuberculosis, and for this the magnificent sum of Rs. 10,000 has been provided in the budget. I submit, Sir, that it is absolutely necessary that more money should be spent on the Public Health Deprtment, and I submit also that it is absolutely essential that Bengal should have its own sanatorium. It may be news to members of this House that there are sanatoria in the other provinces of India, but they all charge more for patients from outside their provinces than they do for their own patients. There is the Madanapalle Sanatorium in the Madras Presidency, and the Madras Government do not feel justified in letting the tax-payers of Madras pay for the treatment of patients from outside. Then, in Bihar, there is a purely Government sanatorium restricted to Biharis and people domiciled in Bihar. In Bhowali, people from outside the United Provinces have to pay 50 per cent. premium on their charges. Sir, even the United Provinces have got 100 beds at Bhowali, 41 beds at Almora, and 20 beds at Nainital Sanatoria. Bombay has sanatoria providing for 220 beds, the Punjab at the Dharampore Sanatorium has got 75 beds and the Mission Sanatorium 100 beds. But Bengal with its population of 50,000,000 has one hospital containing only 45 beds at Jadabpur to which Government does not make any contribution, and there is no climatic sanatorium in Bengal. We are told, Sir, I do not know about the suitability of the place because that is a matter for experts—that a climatic sanatorium can very well be opened, if Government were to spend more money, at a place like Kalimpong. It is said that the climate of Kalimpong is quite good and it may suitably be used as a sanatorium for tuberculosis patients. But, Sir, I would certainly request the Hon'ble Minister not to rest satisfied with his Rs. 40 lakhs for the Public Health Department, but to press for more, and to see that his hard-hearted colleagues grant more money for conserving the health and the lifeblood of the people of Bengal.

Dr. NARESH CHANDRA SEN GUPTA: The chapter on public health in Bengal at no very distant date in the past was like the chapter on snakes in Iceland which consisted of a single sentence "there are no snakes in Iceland". Since then, with the advent of the Reforms, there was some attempt made to tackle questions of public health with practically no money available, but since then, Government seem to have gone to sleep over the matter. I say this, because we hear no longer about those imaginative schemes which emanated from Dr. Bentley; we hear no longer of any programme for tackling the vast problem of public ill-health in Bengal. The Government does not think now of any such programmes; it is simply content with its great

achievement in the past and content with really marking time. If that is all the business of the Government—simply going on doing the tiny bit of service that they had been doing in the past, I think there is hardly any necessity for a Ministry of Public Health in Bengal.

Reverend B. A. NAG: Mr. President, Sir, I am not sure that I can agree with Mr. Narendra Kumar Basu as to the number of sanatoria in Bengal. He has certainly left out the Seranga Mission Sanatorium for tuberculosis patients in the district of Bankura. Secondly, I believe Mr. Basu was unfair to the Mission when he referred to the Madanapalle Sanatorium in the Madras Presidency as a Government institution. It is an institution supported by the various Missions, and one of the constituent Missions is in Bengal, and patients from Bengal, irrespective of creed and colour are being sent there when there are vacant beds in that sanatorium with the recommendation of that constituent Mission. These are facts I can enlighten you about; but I agree with the previous speakers that very little is being done for tuberculosis patients in Bengal, and more might have been done.

Rai Bahadur Dr. HARIDHAN DUTT: Sir, in associating myself with the complaint that has been made in this House for the insufficient and inadequate grant for public health, I would like to bring to the notice of this Council, and particularly of the Hon'ble Minister, the way in which a great thing can be achieved by introducing the manufacture of quinine which is greatly necessary for malaria patients in Bengal. Sir, last year, I wanted to raise this discussion and tried to help the Public Health Department by pointing out that when we were so much handicapped for want of funds, it was possible to manufacture quinine and obtain quinine at a very much less cost by taking up its manufacture. Since then, I have been able to obtain certain figures and information which are very astounding. Most of the members will be surprised to hear that there is a pact amongst the traders, not British traders alone, but outsiders also with whom we have no sympathy, who have maintained their nefarious work in such a way that quinine cannot be obtained in India except at a high price. I have found that there are certain companies who have been doing business in quinine and simply filling their pockets at the expense of the tax-payers of Bengal and India generally. I have found that of the total quantities of quinine imported into India, about 55 per cent. comes from the British Empire, and the balance from Germany, Java, Netherlands and other countries. Whatever the reasons may be for the great difference between the amount of quinine that is necessary to cope with malaria and the amount that is actually consumed—the high price of quinine stands undoubtedly against the more extensive use of the drug. According to the figures obtained from the reports of the Government Cinchona Factory in Bengal, the cost of production of

quinine is about Rs. 8 per lb. The Government sells a limited quantity of quinine to Government institutions and through post-offices at Rs. 18 per lb. But Government do not sell quinine to traders and the world price of quinine is controlled by powerful syndicate known as Kina Bureau. I do not know whether this is a revelation to many of us. They have been causing a lot of trouble, by keeping up the price of quinine at high figures. If it is not known to Government, I believe it is astounding that such can be the position of Government. The Bureau controls the production and sale of quinine in such an efficient manner that in spite of the world wide trade depression, the merchants have been doing their work wonderfully well, and the price has been kept to such a high figure as Rs. 25 per lb. I think the Surgeon-General, who is here, can bear me out.

Government is the only quinine producing organisation in India, and if they wish, they can successfully work outside the control of the Kina Bureau provided they have the keenness to do that for the good of the people of India.

Dr. C. C. Calder, Superintendent of the Cinchona Plantation in Bengal, in his review of the operations of his department during 1931-32 refers to the large stocks of quinine and cinchona bark held by the Government which is of no use to them. But they would not allow the sale of it lest the pact would be injured. Sir, you can take it from me and those interested in cheapening quinine may be assured that in Calcutta there are big manufacturing firms who are able and anxious to manufacture quinine. I do not wish to mention the name of the Bengal Chemical, but there are Smith Stanistreet & Co., Bathgate & Co., and many other reliable and competent manufacturers. Some are anxious to prepare quinine, but the greatest difficulty is that they cannot buy the bark. The Government of India and the Government of Bengal refuse to sell their bark of which they hold large stocks. I have been unable to make out the reason for it. The bark is there lying useless and getting no return. My friends Mr. J. N. Basu and Khan Bahadur Azizul Haque who were members of the Retrenchment Committee will bear me out that this matter was discussed in the Committee and the unpleasant truth was that the bark was not being utilised. I must appeal to the Government that it should consider seriously why so much cinchona bark should be allowed to rot and waste when it is possible to manufacture quinine in India, when it is possible to manufacture quinine and cheapen its price. Bengal is vitally interested in quinine. We are so much malaria-stricken that we require quinine as much as we require our rice and bread. Sir, we can do even without rice, but we cannot do without quinine, and its price is Rs. 28 per lb.—simply because of the vagaries of a particular pact. This seems to me rather unbearable. Sir, the British Government has popularised itself through the Medical Department; however bitter the political feeling

against the Birtish Government may be, people generally are grateful to Government for extension of medical help to them. I must say, Sir, compared with the time just before the British came here, hospitals and institutions for medical relief were the creation of the British Government here. If that good name has to be maintained in Bengal, the crying need at the present moment is the suppression of malaria. My friend, Mr. Narendra Kumar Basu, has spoken about tuberculosis. I fully associate myself with what he has said, but if we have to give a preference, and choose between malaria and tuberculosis I for myself will go for malaria first and then for tuberculosis. Let us stamp out malaria. With malaria, Bengal has become a place unfit for living in, and it is our duty to try to eradicate that fell malaria. Quinine is the most important weapon for fighting with malaria. But we hear and actually find that the facts are that certain companies are making money simply by artificially raising the price of quinine and raising it to such a point that Bengal cannot afford to buy the whole of quinine required. I hope, Sir, my appeal will not go in vain and some effective measures may be worked out to baffle the attempts of profiteers, and to reap the benefit of the cinchona bark which is now rotting in some of the stores of Government.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: May I inquire whether Mr. Basu will move his motion No. 688 which is practically of the same nature?

Babu JATINDRA NATH BASU: I do not want to move my own motion, but I would like to say a few words on the motion under discussion.

Sir, as has been pointed out by the previous speakers, what strikes us, the people of this province, is that there is such allocation of the revenues of this province amongst the different departments that it appears to us that the Department of Public Health, which is one of the departments in which the people of this province are vitally interested, is one of the neglected departments. Sir, the other departments which, from certain other points of view, are probably of some importance have taken away all the revenues while the Departments of Public Health, Medical, and one or two other departments—which mean the strengthening of our life and progress in other respects—namely, the Departments of Agriculture, Education, Industries, these departments have been neglected. The Department of Public Health, Sir, is one of those neglected departments. I trust the truth about that neglect is gradually dawning on Government. If the policy that has been pursued for a great many years now had been different, then instead of the province being what it is from the point of view of the health of its people, it would have been a different place to live in, and a great many of the evils in the various departments of life that

we are now suffering from, would not have come into existence. Sir, I trust Government will keep in mind the seriousness of the problem and will not starve this very important department.

As regards the particular diseases that have been mentioned, malaria is undoubtedly one of the most important; then comes kala-azar, and then there are other minor items like tuberculosis which from all medical reports appear to be spreading very fast in this province. There is also the question of grappling with the leper problem. At one time, some 15 or 16 years ago, there was a proposal to enact a law under which all mendicant lepers would be segregated and sent to a colony, but there it remained, and nothing has been done and the mendicant lepers all over Bengal are a real menace to the health of the people. Sir, I trust all these facts will be kept in mind by the Government and will not be disregarded when funds are available.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: As I said on a similar motion yesterday, I may assure the hon'ble movers as well as other members of this House that my sympathy is entirely with the underlying principle of these motions. Tuberculosis and malaria are certainly the greatest menace to Bengal. No need is more pressing than the need of public health, and I am entirely at one with my friends opposite that more money should be spent on public health. But at the same time, I may point out that there is not much substance in the charge that this department has been neglected. On the other hand, I would like to point out that the expenditure on public health has doubled since the introduction of the Reforms. The expenditure was only Rs. 23 lakhs in 1922, and to-day it is nearly Rs. 40 lakhs, in spite of what has been said by Mr. Narendra Kumar Basu, because I said it is Rs. 40 lakhs—because 77 is certainly nearer a 100 than 1.

Sir, Mr. S. M. Bose said that we should spend money lavishly and have at least Rs. 50 lakhs for this department. I would like to point out that this Government spends the highest amount on public health in India in spite of Bengal's chronic financial deficit and financial stringency since the introduction of the Reforms. Every other Government have cut down their public health expenditure, but not Bengal. For the information of the House, I shall just quote the figures—

		Rs.
Actuals of 1921-22	...	23,45,000
Actuals of 1929-30	...	35,93,000
Budget for the current year 1932-33	...	39,98,000
Revised estimates for the current year 1932-33		39,77,000

In the United Provinces, the highest that was spent was Rs. 28,60,000 and in the current year it has been brought down to Rs. 20,16,000. Remember that the United Provinces has a larger revenue and a larger

population. In Bombay, the highest that was spent was Rs. 29,14,000 in 1922-23, and in the current year it has been brought down to Rs. 26,21,000. In Madras, the richest of the provinces in India, the highest amount spent was Rs. 26,85,000 and in the current year it has been brought down to Rs. 22,97,000. I think the Bengal figures compare very favourably with those of Bombay, Madras and the United Provinces. If my friends would say that it is not adequate, I am at one with them. I wish more money were available. But that is not the test, the test is whether this Government have done enough with the resources at their disposal to alleviate the sufferings of the people. The expenditure has doubled, and I think that is sufficient proof of the fact that this department has not been neglected. To substantiate my statement I will quote certain figures. Since 1927 we started public health units in the different thanas. We maintain to-day at Government expense amounting to over Rs. 10 lakhs, 575 thanas out of 600 excluding Darjeeling. Government also maintain through the district boards the health inspectors and one health assistant in each. They have been doing wonderful work. If the hon'ble members will agree to come to my office I would show them the detailed figures of the work that is being done in these health units. These units have been of great assistance in controlling epidemics like cholera, small-pox, etc. Then there is the Publicity Department of the Government. Just a few years ago we started with one party and to-day 11 parties are working throughout Bengal. I am sorry to say that the 11 parties are overworked and if we had money we would have doubled the number. In the course of the last 5 years 55 lakhs of anti-small-pox vaccination have been performed. Is that a very small figure? In 1932, 1,004,730 c.c. of anti-cholera vaccine were distributed free. I think these figures are quite convincing to show that the Department of Public Health has not been neglected or starved by Government. Turning to kala-azar, during the last 10 years 600 centres were opened and Government spent nearly Rs. 11 lakhs in subsidising these centres, in distributing freely the kala-azar specific and in contributing towards the payment of the medical officers in charge of these centres. The figure of kala-azar cases has come down—not only of death but also the intensity of the disease. Sir, the Government's main duty is co-ordination and education of public opinion and encouragement of the local bodies, and I think these duties are being discharged in full. I would ask the hon'ble members to come and see certain district boards as to how the work is being done. The whole countryside is electrified. Mr. Gupta is smiling. I am sorry he has forgotten all his experience as a district officer. He as Divisional Commissioner was responsible for initiating some of these publicity centres. It is a pity that he should forget his own child. Mr. N. K. Basu said that Government only made a provision of a magnificent sum of Rs. 10,000 for the Tuberculosis Association. It is certainly not a magnificent sum. This Association wanted

a non-recurring grant of Rs. 10,000 but Government have agreed to a recurring grant of Rs. 10,000 for three years in order to train the public health visitors in different organisations. On his own admission, a very large number of people suffer from tuberculosis. In Calcutta I believe about 30,000 people suffer from this fell disease. It is not possible to accommodate even a small proportion of these unfortunate people in a sanatorium, but that is no reason why Government should not start a sanatorium. It is, however, a question of funds, because the tuberculosis patients are practically incurable; either they must be cured if detected at the beginning or should be there till they die. So the treatment is very expensive and it would require at least Rs. 20 lakhs to put up a sanatorium for a very small number of people suffering from that disease. I admit Government cannot afford to pay such a sum of money at present. The Jadabpur Tuberculosis Association which was started a few years ago with public subscriptions and through the generosity of a few individuals received a substantial sum from Government as capital grant about three years ago. The number of beds there is only 50. That will not touch even the fringe of the disease. Government thought it better to spend on propaganda work, and it is through propaganda that you can stamp out the disease and not by providing a certain number of beds for a certain number of patients. I wish it were possible for Government to find out more money for a sanatorium. We consider that public health propaganda is more useful than providing beds for a very small number of patients. That is the opinion of the Provincial Committee appointed by the Government of Bengal to investigate into the matter. They recommended that Government should spend more money on public health propaganda which would really be more useful than providing a sanatorium. On these grounds we tried to provide money for the Tuberculosis Association instead of paying to the sanatorium at Jadabpur. I think I have successfully shown that the Public Health Department is not neglected; Government have done all they could because the expenditure was doubled during the last 10 years, and I dare say that the expenditure would have trebled by this time but for the unstability of the Ministry. If the Ministry were stable they would have fought hard for more money, but it is a pity that it was not possible. With these few words I request the hon'ble member to withdraw his motion.

The motion of Mr. S. M. Bose was then, by leave of the House, withdrawn.

Mr. MUKUNDA BEHARY MULLICK: I beg to move that the demand of Rs. 5,99,000 under the head "33A—Public Health establishment" be reduced by Rs. 100 (to raise a protest against the stoppage of the supply of kala-azar specifics by the department to the Khulna District Board and to suggest that the system previously obtaining be continued).

The reason indicated is clear enough. It is to raise a protest against the stoppage of the supply of kala-azar specifics by the Department of Public Health to the Khulna District Board and to suggest that the system previously obtaining be continued. You will find, Sir, that in a poor country like Bengal, specially in the interior, people cannot afford to pay for their treatment, and the number of untimely deaths in the interior from various diseases of which kala-azar is one is very great. So far as Khulna District Board is concerned, it has established a large number of centres for treating kala-azar throughout the district and it maintains the staff; but that so far as the specifics are concerned, the Public Health Department of this Government used to supply the same free of charge to the District Board of Khulna. Last year they supplied about 1,400 grammes of these specifics free to this board. We were astounded to have an intimation from the Department of Public Health asking the district board to purchase these specifics and that these would not be supplied free. The position is well known that, due to economic depression, every one is hard hit and the District Board of Khulna is no exception. No reason is assigned as to why the old system obtaining so long should be changed. I, therefore, urge that the Government should revise the position and should continue to help the District Board of Khulna in this laudable and charitable work which they have undertaken. If they were compelled to purchase these specifics the result would be that they would have to close down these centres for treating kala-azar which will result in very serious consequences. We have heard a moment back from the Hon'ble Minister about what the Government have done in this respect. I hope he will take this case as a specific instance in point deserving the consideration of the Government.

With these few words, Sir, I commend my motion to the acceptance of the House.

Mr. NARENDRA KUMAR BASU: Sir, I rise to oppose this motion. Mr. Mullick has not I am afraid followed the speech of the Hon'ble Minister in charge of the Department just delivered. If he had followed the speech with that attention that it deserved, he would have learnt that propaganda is more useful than providing medicines and that probably the Government through its Publicity Department are sending out leaflets to the Khulna district for stamping out kala-azar. Mr. Mullick has no faith in the words of the Hon'ble Minister, who has been in office for the last four years and has not been able to secure more funds for his department. Mr. Mullick seems to think that publicity and propaganda are not more useful than giving medicine. I am sorry that Mr. Mullick should have the temerity not to withdraw his motion even after he had heard the Hon'ble Minister on the subject.

Mr. J. N. GUPTA: I regret that the speech of the Hon'ble Minister was not taken in the spirit in which it was delivered and Mr. Basu thought it fit to treat it in the fashion that he has just done. But at the same time I would like to explain to the Hon'ble Minister the attitude of the members of this Council towards this important department. Our desire is not to minimise the work that has been done, but to bring to the notice of Government as a whole that the claims of this department are so important that much more money than what has been allotted to it should be given. He must not think that we do not appreciate the admirable beginning that has been made in many directions but when he says that the whole of the countryside has been electrified by the very feeble beginning that has made by the district boards——

Mr. PRESIDENT: Do not talk of electrification. I am afraid you are again inviting a thunder storm. (Laughter.)

Mr. J. N. GUPTA: I am afraid I was responsible for initiating some of these schemes but I cannot entirely agree with him in the optimistic view he has taken of the situation. He has placed before us figures to show how in Bengal we do not compare unfavourably with what has been done in the rest of India in the matter of public health but he should remember that unfortunately Bengal is the most afflicted and unhealthy part of India and malaria and kala-azar and almost all those——

Mr. PRESIDENT: I may point out that the present motion is based on a specific recommendation.

Mr. J. N. GUPTA: I beg your pardon, Sir. I only want to explain to the Minister the attitude of the members on this side. They greatly appreciate the efforts which are being made but believe that more can be done. We are not satisfied because we feel that having regard to the importance of the department what Government have done is not adequate and much more is necessary.

Rai Bahadur Dr. HARIDHAN DUTT: I must express my disapproval of the bantering spirit in which Mr. Narendra Kumar Basu has criticised the reference of the Hon'ble Minister to the necessity for propaganda work. So far as I know kala-azar has been wonderfully subdued as a result of the efforts of the department over which my friend the Hon'ble Minister presides. I do not want to give the whole credit of that to Lieutenant Bijoy Prasad Singh Roy but Dr. Bentley, who is no longer here, is to a great extent responsible for the action taken in Bengal to subdue kala-azar. Whatever that

may be, kala-azar is at the present moment on its decline. What the state of things in Khulna is, I do not know but in Calcutta and in the 24-Parganas of which we have personal experience kala-azar is dying out and in another few years' time it is expected that kala-azar will be unknown in Calcuta and its environs. That has been effected by the Public Health Department of the Government of Bengal. I presume that the result that has been achieved in the 24-Parganas and Calcutta must also have been achieved in Khulna and other places. That being so, I do not think my friend should have ridiculed the idea of the Minister in sending people for propaganda work in different parts of the country. After all propaganda is no less important than medicine, whatever the idea of Mr. Basu may be. May I ask my friends to consider how it would be possible to eradicate malaria in Bengal unless the people take concerted and united action? But if people do not understand what malaria means, how malaria is produced and how it spreads and what action is to be taken to eradicate it no concerted action can be possible. That education of the people can only be done by propaganda and instructions to the people, so propaganda is no less important than medicine. This is all that I wanted to point out

(Here the Council was adjourned for 15 minutes for prayer.)

(After adjournment.)

Maulvi ABUL QUASEM: I rise to support the motion that has been moved by Mr. Mukunda Behary Mullick. I come from the district of Khulna and have the honour to belong to the district board there. The district board has got under its charge 26 dispensaries and 11 kala-azar centres. People suffering from kala-azar are treated at these centres and also in the dispensaries. In ordinary times the district board is not in a position to place at the disposal of these kala-azar centres and the dispensaries resources sufficient to meet the demands made upon them. In these extraordinary times of economic depression when the income of the district board has been considerably diminished the kala-azar centres and dispensaries are feeling very much handicapped for want of a sufficient supply of these kala-azar specifics. On account of the stoppage by Government of the free supply of these specifics to the kala-azar centres and dispensaries, people are suffering very much. Not only have the Government stopped the free supply of these specifics this year but they have done another wrong—and I use the word "wrong" deliberately, to the district board. The district board of Khulna was entitled to Rs. 45,000 as augmentation grant this year from Government but Government, without assigning any sufficient reason, have granted only Rs. 38,000; this has further diminished the resources of the district board to meet the demands made upon them to a great extent. I therefore wholeheartedly associate myself with

the protest which has been made by Mr. Mullick against the action of Government.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I think it is necessary to go into the history of this kala-azar grant. When there was a great outbreak of kala-azar about ten years ago, Government decided to carry on an intensive campaign against this disease and raised the grant which was originally Rs. 50,000 to over Rs. 2 lakhs in some particular years to carry on propaganda and to distribute specifics of kala-azar to the centres opened by the district boards and other local bodies. In 1929 when Dr. Bentley issued a circular to district boards pointing out that the free distribution of specifics would be available so long as Government had the stock of these three specifics, namely area stibamine, neostibosan and amino-stiburea——

Mr. PRESIDENT: Formidable names: (Laughter.)

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes, Sir. Now the complaint is that the resources of the district board of Khulna have been very much depleted and they are not in a position to spend more money on kala-azar work. First of all I would like to point out that the number of centres last year was 43 in that district; this year it is 33. Naturally the supply of medicines also has got to be proportionately cut down. Government supplied, as has been admitted by the mover, 2,100 grams of medicine last year but this year they have given only 1,400 grams up till February. I would now just draw the attention of the House to the amount that is given by Government to the district board of Khulna and the amount that is spent by the district board itself. I hope the representatives of Khulna will kindly take note of this. Government paid Rs. 6,000 in 1931-32, whereas the district board spent only Rs. 3,964. There are several districts which spend much more than the Government grant, and this notwithstanding the fact that the income of the district board of Khulna has increased by over 75 per cent. during the last three years. Mr. Quasem said that on account of financial difficulties the district board is not in a position to spend more money on kala-azar work. I hope he spoke after looking into the figures of cess realisation. (MR. QUASEM: It has not been realised.) It has been realised, take it from me, Sir. The income from cess was three lakhs; but last year it was five lakhs. It is a pity that the district board of Khulna failed to spend money proportionately to their increased income; whereas the district boards of Burdwan, 24-Parganas, Nadia and Jalpaiguri spent more than the Government grant. The district board of Burdwan received only Rs. 1,000 but they spent nearly

Rs. 3,000. The district board of 24-Parganas received Rs. 10,000 and they spent nearly Rs. 27,000. The district board of Jalpaiguri received Rs. 6,000 and they spent nearly Rs. 8,000. This shows that these are people who are anxious to help themselves and naturally Government are anxious to help them. The representatives of Khulna have no grounds of complaint. The income of the district board instead of going down has increased enormously, and they have cut down their expenditure on kala-azar and they come here with the complaint that Government is not prepared to help them. Mr. Quasem referred to the augmentation grant. This grant is given on the principle that 25 per cent. of the road cess collected in a particular district is granted to that district board as augmentation grant. Of this 12½ per cent. is given on the actual collection and 12½ per cent. is given at the discretion of the Divisional Commissioner, that is, he tries to supplement the income of a district board which is in need. Naturally the income of the Khulna District Board having gone up on account of cess revaluation, the Commissioner of the Presidency Division was perfectly justified in cutting down Rs. 8,000. Sir, where is the reason for complaint? I would ask the hon'ble members, instead of bringing this motion, to go and chastise the district board of which they are the representatives.

The motion of Mr. Mukunda Behary Mullick was then put and lost.

Maulvi NUR RAHMAN KHAN EUSUFJI: Sir, I beg to move that the demand of Rs. 5,99,000 under the head "33A—Public Health establishment" be reduced by Rs. 100 (to draw attention of the Government to the meagre representation of Moslems in the service).

Mine is a very moderate demand, Sir. The Department of Public Health is one of the most important departments of Government. It is only meet and proper that Moslems who form the bulk of the population of this presidency should have proper representation in this department. So far as my information goes, Sir, with the exception of a very few there is hardly any Moslem either in the higher or lower grades of this department. My humble appeal to the Hon'ble Minister in charge is that in the matter of future recruitment he will be pleased to give special attention to the claims of the Moslem candidates. Sir, there is——

(The time-limit for the discussion of the grant having been reached, the member resumed his seat.)

The motion of Maulvi Nur Rahaman Khan Eusufji was then put and lost.

The original demand under the head "33—Public Health" was then put and agreed to.

DEMANDS FOR GRANTS.

34.—Agriculture.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 22,90,000 be granted for expenditure under the head "34—Agriculture".

The budget provides for the Agriculture Department including Botanical and other Public Gardens and the sister departments of Veterinary (including the Bengal Veterinary College) and Co-operation.

For reasons well-known to the House this budget like almost all other budgets has been prepared under very depressing conditions as explained by the Hon'ble Finance Member in his budget speech. No apology seems to be called for the tight budget that had to be framed with a view to economising expenditure as much as practicable under the exceptional circumstances.

The small increases in the various heads over the revised estimate for the current year are mainly due to the partial withdrawal of the percentage cut in salaries with effect from 1st April, 1933, and to the inclusion of provision for the scheme for demonstration of sugar manufacture in the Agriculture budget. The budget is, however, subject to reduction as a result of the acceptance of certain recommendations of the Bengal Retrenchment Committee, so far as they relate to the Agriculture and Veterinary Departments. So far, savings have been effected under "Veterinary charges—Veterinary Instruction" by an amount of Rs. 1,800, and under "Agriculture" proper by Rs. 74,320.

It is unfortunate that financial stringency has forced Government to restrict the activities of these nation-building departments, but with the help of the financial assistance secured from the Imperial Council of Agricultural Research, it has been possible to initiate schemes of agricultural and veterinary research which, it is hoped, will be conducive to far-reaching results for the benefit of the agricultural population in Bengal. I shall take this opportunity to indicate to the House the schemes now in progress and the budget provisions made for them—

		Rs.
(1) Rice research	...	23,396
(2) Study of animal nutrition problems	...	8,722
(3) Sugarcane seedling testing station	...	2,340
(4) Cane-crushing and gur-boiling experiments		837
(5) Study of soil problems	...	4,340
(6) Appointment of a Veterinary Investigation Officer	...	9,246

In addition, the Imperial Research Council have just sanctioned two important schemes involving a total expenditure of Rs. 90,000. These are—

	Rs.
(1) Scheme for research in fruit growing in Bengal	57,030
(2) Scheme for an economic inquiry into the cost of production of crops in the principal sugar and cotton tracts in India ...	23,590

The schemes relating to investigation into rice, sugarcane, fruit and animal diseases deserve special mention inasmuch as the successful conclusion of the experiments is expected to produce results which will greatly conduce to the material well-being of the agricultural population in Bengal, the improvement of whose economic condition is the ultimate goal of the three sister departments of Agriculture, Veterinary and Co-operative.

In the Botanical Section much attention has been paid to rice, the staple food-crop, and to the work of introducing improved varieties of paddy. During 1931-32, 245 seed centres which covered a total area of 8,200 bighas of both *aus* and *aman* paddies supplied about ten thousand maunds of seed. With the subsidy from the Imperial Council of Agricultural Research work has been started at Chinsura and Bankura. At Chinsura the main work consists of survey and selection of Bengal rices including Patna rice which are exported abroad. At Bankura the main object is to study the varieties of rice suitable for the highland tracts of Bankura, Birbhum, parts of Burdwan and Midnapore and the adjacent tracts of Bihar, Orissa and Cuttack.

Owing to the collapse in the price of jute, it has been found necessary to adopt measures for enabling the cultivator to find a substitute money crop for jute. In 1893, Bengal was the second biggest sugarcane producing province in India and had 620,000 acres under sugarcane. Since then owing to a combination of circumstances the area has dwindled in spite of the fact that her soil and climate are specially favourable for the cultivation of this crop. As a result of departmental propaganda however there has recently been a remarkable extension of the area under the Coimbatore variety of sugarcane in the various parts of the province, particularly in the districts of Rajshahi, Berhampore, Malda, Burdwan and Nadia. During 1931-32 a record distribution of 52 lakhs of sugarcane cuttings was made from Government farms. This cane is, in fact, spreading so fast that it is not possible to give an accurate estimate of the area covered by it. With the extension of the cultivation of improved varieties of sugarcane the immediate problem has been to secure for the cultivator a profitable return for his

cane. The present position, however, is that only in a few localities is there a sufficiently concentrated area under this crop to feed large factories. Till such factories are established it is the policy of Government to advocate the establishment of small ten-ton sugar factories for the manufacture of sugar from *gur* to enable cultivators to dispose profitably of their cane. This system is suitable for small capitalists and co-operative associations to adopt. With the grant from the Imperial Council of Agricultural Research an improved power crusher and *gur* boiling plant has been invented by the Agricultural Engineer and, as already stated, provision has been made in the Agriculture budget for demonstration of the manufacture of sugar. A bulletin has been prepared by the Agricultural Department furnishing necessary information regarding sugarcane cultivation and *gur* and sugar manufacture which can be had on application from the Director of Agriculture. The matter has engaged much public attention and numerous inquiries are being received about it and the Agricultural Department are gladly giving all such assistance and advice as may be possible. It is not out of place to mention here that so far as is known 14 small factories for the manufacture of sugar under the open pan system have already been started in this province.

Turning to jute, the principal money crop—the monopoly of Bengal—on which the prosperity of the province depends and the collapse in the price of which has seriously affected all concerned from the field to the factory, Government have appointed a Committee to investigate the problems connected with it. The terms of reference to the Committee are well-known to the House. It is expected that under the able Chairmanship of Mr. Finlow, a former Director of Agriculture, who has made a special study of the subject, the Committee will be able to make useful suggestions in the near future.

Investigation into the problem of cattle diseases in Bengal is of great importance from the point of view of agriculture and animal husbandry. The fell disease of rinderpest takes a heavy toll of cattle almost every year and the task of combating the disease is stupendous and the cost heavy. It will be a great boon to the people of Bengal if the work in connection with the investigation into the disease which has been undertaken with financial assistance from the Imperial Council of Agricultural Research is brought to a successful issue. An interesting investigation into the cause and prevention of *kumri* in horses has been in progress at the Bengal Veterinary College for the past two years. The results so far obtained are reported to be encouraging.

The economic storm which has been blowing for over three years now and which has upset credit conditions in the world to an extent almost without precedent, could not fail to affect the co-operative movement. With a view to enabling the movement to weather the storm, the brake has been applied to further expansion, while a policy of consolidation

has been adopted and is being steadily pursued. Special investigations have also been initiated and are in progress with a view to strengthening the position of existing societies and to the establishment of land mortgage banks on a co-operative basis.

Mr. SHANTI SHEKHARESWAR RAY: I beg to move that the demand of Rs. 1,54,006 under the head "34A—Agriculture—Pay of officers" be reduced by Rs. 100 (with a view to raise a discussion on the terms of reference and personnel of the Jute Committee and press for the representation of labour and *zamindary* interests).

Sir, at the outset I would like to congratulate the Hon'ble Minister for appointing a committee to go into the matter. It is certainly a matter of sincere satisfaction to the members of the House that we have in the Hon'ble Nawab Sahib a Minister who is always willing to respond to the wishes of the House so far it is in his power to do so. In moving this motion let me assure him I am in no way inspired by any uncharitable motive. I have read the notification of the Government on the subject and it struck me that while the Government deserve thanks for their action in the matter the terms of reference do not appear to be complete. The committee has been entrusted with the work of going into the question of production of jute in the field and that of marketing of jute. As far as that goes it is all right but I think the inquiry should not stop there. I am afraid that cannot lead to a true solution of the problem. If the State takes up the question of production and marketing—if these are to be brought under state control—I think it is essential that some attention must be paid to the other part of the question— the position of the manufacturers—the jute mills. We ought to examine to what extent the present attitude of the jute mills is a contributary cause to the low level of the prices of jute. It is a delicate subject but it is one that must be explored. It is well-known that for years the jute mill companies and the managing agents of these companies have been making huge profits. Even now the managing agents and some of these companies appear to be in a prosperous condition. From "Commerce" I may incidentally quote certain figures for the information of the House:—

	Paid up capital.	Reserve and other funds.	Dividends.	
			1927.	1931.
	Rs.	Rs.	Per cent.	Per cent.
Howrah Mills, Ltd. ..	26,25,000	1,26,79,402	60	23
Kamarhatty Jute Mills	24,00,000	1,19,46,510	100	15
Reliance Jute Mills ..	16,50,000	93,43,131	110	40

The figures tell their own tale. My suggestion is that the committee should try to find out if any equitable distribution of the profits from their industry among the capitalists, the labourer at the mills and the

labourer in the fields is possible. Last year I tabled a resolution which did not come up for discussion suggesting that the Government should consider the question of bringing the jute trade in Bengal under State control. Of course I do not presume to speak on the subject with authority, but I am afraid any attempt to regulate the production in the field—any attempt, say, to nationalise the lands—without at the same time bringing the mills under State control can hardly lead to an effective and just solution of the problems.

Then, Sir, as regards the personnel of the committee I would only invite the attention of the Hon'ble Minister to the obvious injustice done to two important interests, namely the *zamindars* and the labourers. These interests are not represented on the committee. *Zamindars* have a great stake in this business and I need hardly labour the point. As regards labourers their point of view also should be represented if the matter is to be dealt with in the right way. I have nothing to say against the members appointed; they represent certain interests connected with the jute industry and I have no doubt that they will tackle the problem from their respective points of view.

Maulvi TAMIZUDDIN KHAN: I am sorry I have to oppose the motion of my friend Mr. Shanti Shekhareswar Ray. He says that the terms of reference of the jute committee are defective, because the terms are not comprehensive enough. The reason adduced by him is the absence of any reference to the activities of the jute mills upon which the price of jute depends to a large extent. I agree with Mr. Ray that jute mills are perhaps making enormous profits but that is a quite different question——

Mr. SHANTI SHEKHARESWAR RAY: But do you know that they are working short hours?

Maulvi TAMIZUDDIN KHAN: I know that they are working short hours but that also is a quite different question. The whole object of setting up the committee is to find out ways and means whereby the price of jute may be raised to a standard level. So the committee is entitled to go into all matters including the activities of the jute mills that may tend to raise the price of jute. Therefore I maintain that the terms are very comprehensive, and I do not think that the non-mention specifically of the jute mills is at all a defect in the terms of reference. Secondly, my friend argues that the personnel is also defective inasmuch as no landlords have been taken in and no representative of labour has been taken in. There may be antagonism between landlords and non-landlords in some spheres of life but certainly this is a sphere in which there is no antagonism whatsoever. On the other hand the interests of landlords and tenants are identical in this matter. If the price of jute is raised not only will the growers

of jute be benefited but *zamindars* also will be benefited. There is no point therefore in arguing that some *zamindars* should also have been appointed to that committee. There is no special interest which a *zamindar* as *zamindar* might represent in the committee. Again my friend has also raised the question of labour. He says that labourers in the jute mills are not treated as they should be treated; that also I think is an altogether different question. That is a question between capital and labour; that is a very old question and it prevails not only amongst jute mill owners and their labourers but almost in every field wherever there is the question of capital and labour. Therefore that is a very large question, and I think it will be altogether outside the scope of the committee to enter into that question. That being so, it does not seem to be at all necessary that a gentleman representing labour should be on the committee. I am therefore sorry that I cannot agree with any of the points which my friend has been pleased to raise in moving his motion.

Mr. MUKUNDA BEHARY MULLICK: I rise to support this motion so far as the representation of various interests of the province is concerned. In doing so, I need only mention the position of the members of the scheduled castes, the bulk of whom are agriculturists. It is only proper that there should be a representative of theirs on committees of this nature where any agricultural produce, jute or paddy, is the subject-matter of enquiry. I am sure there would be many of these classes to contribute their point of view to the committee in order that their line of thought and action may also be examined before coming to any final decision. As the decision, which may be arrived at by such committees, will also affect them, I would request the Hon'ble Minister to keep this point in view in these cases.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, the Jute Committee has been appointed in pursuance of a resolution carried in this House on the 1st February, 1932, recommending that a committee consisting of official and non-official members of the Council and experts be appointed to make a systematic examination of the present economic depression in Bengal. As is well-known, jute is the principal money-crop of Bengal, and is, in fact, her monopoly, and on the price of jute depends to a very great extent the prosperity of the province. Government have, therefore, decided to appoint a committee to investigate into the jute problem. The terms of reference to the committee and its personnel have been settled after a very careful consideration. I maintain, Sir, that the terms of reference are wide enough for the purpose in view, and the constitution of the committee is as representative in its character as is possible, composed as it is of men having close connection with jute in all its aspects, namely, its cultivation, manufacture and trade. As the scope of the committee's

inquiry will not extend to the special consideration of the labour and zamindary interests other than their interests as involved in the jute industry, the question of special representation of labour and *zamindary* interests in the committee does not arise, while, as I have already said, the committee, as appointed, consists of men having close connection with jute in all its aspects.

The committee is not an administrative or executive body, but is only charged with the duty of investigating the jute problem, and if its results succeed in assisting in any way towards the stabilisation of the jute industry, all classes, the producer, the consumer, the *zamindar*, the professional classes, such as the lawyer and the doctor, will benefit alike. In constituting the committee, Government were anxious to have on the committee representatives of all such interests which directly participate in the jute industry, such as the jute grower and the jute consumer, the intermediate consumer in the person of the jute trader who buys directly from the grower, and the ultimate consumer, that is to say, the jute manufacturer or the jute mills. With them have been associated in the inquiry experts, economists and others who have made a study of the question and who can assist in the solution of the problem.

In view of this explanation, Sir, I would suggest that my friend will be prepared to withdraw his motion; otherwise, Government must oppose it.

MUNINDRA DEB RAI MAHASAI: Sir, I rise in support of the motion moved by my friend Mr. Shanti Shekhareswar Ray. The economic problems of Bengal are very closely connected with her jute industry. It is, therefore, hardly necessary to tell you that jute ought to occupy our earnest attention. In its prosperity, not only the *raiyats*—the jute-growers, are alone interested; but the landlords are equally interested.

It appears that although Bengal enjoys a world monopoly in jute and it may be fairly expected that it is possible for her to command its price in the world market and to derive immense benefit out of it, the people of Bengal, unfortunate as they are, hardly enjoy anything from such monopoly?

Sir, the Central Jute Committee, I understand, was constituted solely with the view that the committee should do for the jute industry exactly what the Indian Cotton Committee has done so successfully for the cotton industry. It was expected that they should deal with the agricultural and technological research for the improvement of the jute industry, the provision of superior strains of seed, the improvement of statistics, dissemination of information and economic studies into the marketing of jute with special reference to the improvement of primary marketing by the jute-growers. But as far as my information goes, the

attempts which the committee might have made in this direction have not conduced to the best interests of the jute-growers, with the result that their economic conditions have remained as bad as ever. And what is the ultimate result? They now get even less than the cost of production. Under such circumstances, one can hardly expect that they would be in a position to pay their dues to their landlords punctually. The interests of the *zamindars* are, therefore, heavily at stake. Had jute fetched 34 crores more than it has actually done this year, many of our present financial difficulties would have been removed. Therefore, I submit, Sir, the landholders have a special interest in this matter and they ought to have proper representation on the Jute Committee.

Mr. P. BANERJI: In rising to support the motion moved by my friend Mr. Shanti Shekhareswar Ray I do not find any reason why Maulvi Tamizuddin Khan should stand up at once and suggest that these two interests—I mean the interests of the *zamindars* and the labourers—need not be represented on the committee, although at the same time he has admitted that these are the two bodies who are very much affected by the low price of jute. It is on this account that the Hon'ble Minister has come forward and appointed this committee and I thank him for it, but, Sir, that is no reason why it should not be a representative committee. We also know what a committee means. Sir, whenever a committee is appointed by Government we know that the intention is to shelve the whole question. Now this committee will take a very long time to finish its labours and when its report is out we will find that nothing has been done to redress the grievances of the cultivators who are suffering so much to-day. We know how these things are engineered. It is said that this low price of jute is due to the economic situation of the country but that is not the fact. We are watching the course of affairs for a long time and if that were a fact, then how is it that—as has been suggested by the mover—the jute mills are to-day earning a lot of money by selling jute at almost fabulous prices? Sir, there was a time when a company in India in 1842 declared a dividend of 4 per cent. and the *Times of London* wrote an article saying that a good dividend was declared and invited people to invest in these companies in larger numbers. But subsequently dividends rose from 4 to 8 and from 8 to 12 per cent. and what was the result? The people of England and the general public in Great Britain were at one time perfectly satisfied with a dividend of 12 per cent. but at present dividends are declared as high as almost 100 or 120 per cent. yet the capitalists are not satisfied. Why such a high dividend is declared even at this time of acute distress, because they deprive the cultivators of their legitimate share. In this way the poor cultivators —the growers of jute—suffer a lot. Those who know how the prices of jute are controlled will bear me out that in order to do so the purchasers of jute send out their representatives to the different parts

of the jute centres in order to purchase jute with a certain amount of money. Now, you know the pecuniary difficulties of the cultivators. There are cultivators who can hardly hold the jute, the majority of them cannot. The result is that these people have to carry their commodity on their heads to the *hats* for sale at a distance of 5, 6, or even 10 miles on every *hat* day. Now, when they find on one *hat* day that the market price of jute is better and favourable to them, they naturally bring more jute on the next *hat* day in the hope of getting a favourable return. But the result generally is that these representatives of jute purchasers get a bogus letter or telegram which of course has no bearing on the market. They show this bogus telegram to the ignorant cultivators and refuse to purchase jute unless the cultivators are agreeable to sell it at a very low price, say Rs. 2 per maund. The poor cultivators are thus faced with the difficult position of either to sell their jute at such a low price as Rs. 2 per maund or to carry the jute back to their homes, which means great trouble to them as they have no place to keep it. Therefore once they bring out their commodity to the *hats* they are compelled to dispose of them at a lower price although the real market price may be higher. That is how prices are kept low. It is therefore not a question of demand and supply.

The Hon'ble Minister says that if any hon'ble member comes forward with a concrete scheme before him he would consider it. It is up to Government to formulate a definite scheme. I do not think there is any necessity for a committee like the one suggested to consider the whole proposition. I can give several points to the Hon'ble Minister to solve the problem. The first point is that it is within the knowledge and information of Government as to the demand and supply of jute and accordingly they can curtail the production. The second point is that they can grant loans to the cultivators. If however they cannot rely on the cultivators for repayment, these loans can be given through the *zamindars* and if the *zamindars* take the responsibility, the money of Government will I think be safe. I hope the *zamindars* will come forward to take the responsibility on behalf of the cultivators. I think there will not be any difficulty if Government only come forward with the money. If they do so, the *zamindars* will no doubt come forward and stand surety for them as the interests of both *zamindars* and cultivators are identical. Therefore if some loans are given to the cultivators and if *zamindars* come to their help they will be able to hold back their stock and if they can do so for several months they would be in a position to sell their goods at a high price, say 6 or 7 rupees or even Rs. 10 a maund. But the difficulty is that Government do not rise to the occasion to help the cultivators; but if that is done then the whole proposition can be immediately solved. Therefore no committee is necessary which practically would mean the shelving of the whole question. The committee is not a representative one so far as the different interests are concerned.

Khan Bahadur Maulvi AZIZUL HAQUE: I am visualising you, Sir, as the picture of patience and virtue if in the coming state of affairs we are going to do things in the manner in which we are doing them now. Sir, the time has come when on every committee not only the interest of Hindus and Moslems, Protestants and Catholics, Indians and Europeans, depressed classes and non-depressed classes, and capitalists and labourers, but also of bus owners, taxi drivers and others will have to be represented. I am sorry, Sir, that the proper scope of the Jute Enquiry Committee has not been appreciated. Sir, jute is a prime commodity in Bengal, and on the price of jute depends the welfare, weal and everything of a Bengali, be he a landlord or a labourer or be he in any position in life. Naturally, when you tackle a problem like jute, you have so many distinct problems arising out of it that any particular problem is quite worthy to be considered by a separate committee. Take for instance the question of labour; that itself will require the attention of a separate committee to deal with the problem. But surely the committee now appointed is not to tackle that or any other problem. It has been appointed chiefly on the ground that for some time past the prices of jute have been so unsteady that it has become very difficult for Government or for anybody else to keep pace with the present condition of prices and this committee is merely to investigate whether it is feasible to steady the prices by regulation or by other methods which may stabilise the prices; that is one of the important reasons for the appointment of this committee. The second purpose for which the committee has been appointed is to find out how far it will be possible to improve the present marketing methods and conditions and the third is whether there is anything in the trade or in the export business by which it will be possible to steady the prices. They will find out whether there is anything by which the price is affected. I must admit that the ordinary layman is ignorant of these matters. Trade is a technical business, especially when such things as shipping, baling, standardisation are concerned. Things are standardised after a good deal of struggle and standardisation affects the prices and consequently the cultivators. That is a matter which should be particularly gone into before a judgment can be passed and it is simply for that purpose that the Government has appointed a committee with a view to finding out whether by restricting the business, or by improving the marketing condition or by restricting the activities of middlemen it is possible for Government to take steps. I think that is enough business for one committee and if my friend wants to bring other problems it will be open to Government to treat each such problem on its own merits. But each problem is sufficient to engage the attention of one committee. I have nothing further to say except that we must in a matter of this kind take a broad view of things. In this matter landlords and tenants are interested alike but where the highly technical question of trade arises, the consumers, producers and distributors should be primarily

consulted, whether they be landlords or tenants or anybody else, and it is open to everybody to give evidence. If Mr. P. Banerji knows anything by which reputed *mahajans* are making great profits it is for him to bring evidence of this before the committee so that it may be thoroughly investigated. I do not know whether the dividends paid by the companies are high or not, but surely that is not a matter for the committee to tackle. It is for the committee to find out the reasons for the unsteady prices of jute and if the committee finds that high dividends are the causes of such unsteady prices, it will be for the committee to make a recommendation to Government to that effect, provided they have evidence before them about this.

Mr. SHANTI SHEKHARESWAR RAY: Sir, may I ask a question? Does the Hon'ble Minister agree with the speech of the Khan Bahadur as regards the scope of the committee?

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Yes.

The motion of Mr. Shanti Shekhareswar Ray was then, by leave of the House, withdrawn.

Haji BADI AHMED CHOWDHURY moved the following motion and spoke in Bengali in support of the same:

"That the demand of Rs. 63,500 under the head "34A—Agriculture Superintendence" be reduced by Rs. 100 (to draw attention to the importance of appointing an Expert for the investigation of fisheries in Bengal).

The following is a translation of his speech:—

"There are various sorts of superintendents in the Department of Agriculture, and I would press that a superintendent of fisheries should be appointed to inquire into the possibilities of pisciculture.

Plots of land where paddy grows and which remain under water for 4 or 5 months may be used for fish-rearing. There are many irrigation tanks and canals in the country. These also may be utilised for the same purpose. But the public suffer from lack of expert advice in the matter. If an officer is appointed, I hope and believe, the fish-supply problem would be to a large extent solved. Had the educated youths been trained, they would have been able to preserve fish according to modern scientific methods and thus various fish-industries would have been created. There is a superintendent of fisheries in Bihar and Orissa who is developing the piscicultural resources of Lake Chilka and other places. In the Punjab, there is a department of fisheries which promotes the fishery in the province. Madras, too, has a large Department of Fisheries with a good number of experts.

But in Bengal where 95 per cent. of the people take fish, there is no such department or officer. I know that Government will plead financial stringency if the appointment of such an officer is now urged. But if they sanction an annual grant of a few thousand rupees for this purpose from the Industries Aid Funds, people would be greatly relieved of a long-felt want.

Fishery experts, it has been stated, are not wanting in the country. Mr. A. R. Nizam, M.SC. (Washington), passed the B. Sc. examination in fishery from America and travelled over Japan, China, Canada and other places for acquiring knowledge and experience in the subject.

In 1931, Mr. Nizam established the "Pearl & Fishery Co., Ltd." I think this company will undertake to improve pisciculture if Government grants to them the sum of Rs. 10,000 from the Industries Aid Funds.

In Bengal, fish is one of the daily necessaries. Japan makes a profit of Rs. 52 crores, America of Rs. 48 crores and Siam (which is a very small country) of Rs. 14 crores annually from fishery.

There is a large demand for fish in Bengal and Burma. But the supply is limited. Bengal abounds with rivers, tanks and pools. If Government would make but slight efforts, crores of rupees may be had from fishery in this country. Factories may be established to preserve fish and to extract oil from it for export. This will prove a new opening, making it possible for hundreds of educated but unemployed youths to find means of subsistence.

I hope that Government will realise the necessity of developing the fisheries and invite suggestions from Mr. A. R. Nizam who is the first B. Sc. in pisciculture and the most efficient man on the subject. I also hope that Government will prepare a scheme in the near future for establishing laboratories to find out the means of preservation of fish."

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, as I explained in connection with my friend Mr. Sarat Kumar Roy's resolution moved in this Council on the 21st November, 1932, Mr. Finlow's investigation which covered a wide field can very well be said to be of the nature of an investigation such as is contemplated by the mover. That being so, Sir, it is unnecessary to initiate a fresh investigation into the matter. I would assure the House that Government fully recognise the desirability of developing the fish industry in Bengal, but they are at present precluded by financial considerations from incurring any expenditure on this count. In the meantime, it rests with the public and local bodies to take the initiative in the

matter. The report of Mr. Finlow indicates the possible lines such as carp culture, curing and canning industry on which private enterprise could be directed, and occupation could be found for *bhadralok* youths. The provisions of the State Aid to Industries Act might also be utilised for the development of curing or canning industries on modern lines.

In view of this explanation, Sir, I hope my friend will withdraw his motion; otherwise, Government must oppose it.

The motion of Haji Badi Ahmed Chowdhury was then, by leave of the House, withdrawn.

Babu SATISH CHANDRA RAY CHOWDHURY: I beg to move that the demand of Rs. 11,000 under the head "34A—Agricultural schools" be reduced by Re. 1 (absence of a properly equipped institution in an agricultural province like Bengal).

I beg also to move that the demand of Rs. 1,96,000 under the head "34A—Agriculture—Experimental farms" be reduced by Rs. 10 (to discuss their utility and fuller utilization).

Mr. President, Sir, in spite of protestations and professions, in spite of the long list of good works done or attempted to be done and promises made from year's end to year's end, I consider and deliberately consider that this particular department of Government, the Agriculture Department, is a dismal and a stupendous failure. This failure is more pathetic because the activities of this department are linked up with the welfare and the very existence of the cultivating classes who are the backbone of this country. This country is pre-emiently an agricultural country and all our wealth ultimately comes from the labourers and the agriculturists. It is an admitted fact that to whatever class a man might belong he will ultimately have to look to the agriculturist in order to maintain himself or to augment his income. If we are to increase the wealth of Bengal, the surest and speediest way is through the improvement of our agriculture and agricultural methods. This is a serious task which confronts the Government and in one word I may say that the activities of this department are more important than that of the department about which we discussed just now, I mean the Medical and Public Health. A man must live first and then live healthily, a man must survive the struggle for existence in the matter of food and clothing before he can expect to live healthily. In that view I submit that it is impossible to lay too much emphasis and to attach too much importance to the activities and work of this department. If we are to take the Hon'ble Minister in charge of the Department to our villages through the *mufassal* areas, and I can speak of at least one district with a population of 50 lakhs and an area of 6,000 square miles, I hope he will not be able to point out any improvement in the area which he can be proud of. I do not mean anything against

him personally, but that is the tradition of the department which he has inherited and that is the tradition to which he really is living up, in spite of all that he has promised, not only to-day but from year's end to year's end. Sir, I will touch only two aspects of the activities of this department. It is impossible to effect any real improvement in the outturn of our agricultural products without real and scientific education, without having institutions which really would be up to the business of teaching people their business in the up-to-date fashion and the scientific skill, and it is a striking fact that Bengal is wanting in any such institution up to this time. It cannot be expected that the advice and guidance of a demonstrator or an agricultural officer here and there would be able to tackle the serious problem of agricultural improvement of Bengal. I had occasion yesterday to refer to the case of Japan where the University has got a Faculty of Agriculture attached to it with 31 professors and 11 assistant professors to teach the subject of agriculture and with a library consisting of over 50,000 volumes in different languages. Yet Japan is an industrial country which can afford to neglect its agriculture. But we in Bengal cannot afford to neglect agriculture and the vast body of agriculturists. Yet not a finger has been raised and not a thought has been wasted as to how really to found an institution like this which will scatter broadcast the knowledge of agriculture which really ought to be the foundation of our knowledge in other matters and other subjects. Then coming to the question of agricultural methods, we are still as primitive as in the days of Adam. We are told that the Agriculture Department and the Engineers have invented certain machines or certain ploughs and implements, but I think they are altogether valueless; either they have done nothing or the fact remains that the department has not been attentive enough to bring the improved methods to the knowledge of the villagers. Here and there in the demonstration farms I have seen lying one or two improved ploughs or other implements, but if we go to the villages we find as a matter of fact the people are absolutely ignorant of these things, and they have not even been told of such things. I am not for abolishing these demonstration farms although a cry has been raised for their abolition. I understand that there are some recommendations of the Retrenchment Committee also with regard to these experimental farms. I would be the last person to give my support to these for the obvious reason that although these experimental and demonstration farms and the officers there are not being utilised properly, still they are the only agents which keep up the touch between this very useful department of Government and the people, and if they are properly used, I am sure they can be turned to very good account and their activities may be extended to the good of the people. It will not do to abolish them, because the results have not been commensurate with the labour or the money spent. It is a very unfortunate position that we spend more and get little out of the money that is spent.

I think, Sir, that these officers, instead of their activities being confined to the demonstration farms with their large useless areas in towns, should be required to go into the villages and make demonstrations on the very lands of the agriculturists; they need not occupy the palatial buildings and the beautiful bungalows which are temptations even to us, but should live with the agriculturists and thereby attract both sympathy and command attention. At present the officers live like so many superior persons out of touch with the rural population and necessarily they do not know all that they ought to know. It is possible, Sir, to do much in this matter by a judicious expenditure of funds. We are, however, told that the necessary funds are not forthcoming and that the Government is bankrupt. We are tired of hearing this and shall probably hear it till the crack of doom, and unless and until there is a changed outlook on the part of the authorities, and unless they acquaint themselves with the knowledge that is available from all sources and from all parts of the world, and unless they feel a sincere anxiety to leave their own marks upon the sands of time, i.e., to leave the world a little better than they found it, and not simply to bide time, there is hardly any hope of improvement in this direction. We all know what a bold policy is capable of achieving. We are hearing of the good works of the sanitary staff in the *mufassal* areas. That duty was undertaken by Government under pressure of the dynamic personality of the late Mr. C. R. Das. It might have been to win him over that Government consented to spend Rs. 12 lakhs a year. The scheme goes to save thousands of lives and whenever there is an outbreak of epidemic the sanitary staff go and check it. They are doing very good propaganda work too for the Department of Public Health. We are not having any similar propaganda on behalf of the Agriculture Department. This department is more in need of propaganda than even the Public Health Department, because the activities of this department are linked up with the very existence of the agricultural population of Bengal. If we have in each thana an agricultural officer with a small demonstration farm, a well equipped library, and a store of seed and implements we can achieve very great results. Certainly our agriculturists are somewhat conservative. They are conservative because of their appalling ignorance and want of enlightenment. Literacy may be long in coming, but we need not wait till then for their enlightenment. The cultivators of Bengal are not lacking in commonsense; they can take their stand on an equal footing with the cultivators of other countries even with their lack of literacy. So they can be taught their business well. It is therefore a sorry spectacle that nothing has been done and nothing is being done to enlighten these cultivators as to their real position and as to how they will be able to bring about an improvement in their situation. This is a sorry and pathetic spectacle, Sir, which must meet the eye of every one in the rural areas. Sir, it will not do simply to depend on the research fund of the Gov-

ernment of India or on small dribbles that they may care to grant to us from time to time. The Government of Bengal has got a responsibility of its own to save the teeming millions of Bengal under its charge and care. Sir, we have heard that the price of jute has fallen and is still falling and that the agriculturists are in a bad way. I think I can speak with some authority in this matter because my district is responsible for producing a quarter of the jute produced in Bengal. Just imagine, Sir, the distress that we have been suffering since there has been this fall in the price of agricultural products. I have heard from the Hon'ble Minister what is being done in the districts of Rajshahi and Pabna. If true I do not grudge what is being done there. It is a question not of one or two districts but for all Bengal. Sir, may I inquire what has been done by Government with regard to this particular district of Mymensingh which on account of this fall in the price of jute must be presumed to be most acutely suffering, because it is, as I have said, responsible for an outturn of jute which is as much as a quarter of the whole quantity produced in Bengal? What is the substitute crop that has been presented to the cultivators of this district? Sir, it does not require the appointment of a committee or the deliberations of a committee to solve this question. The man who runs may read and if a little thought is bestowed on the subject it will be found that jute can no longer hold the field, at least for a pretty long time to come, and that a substitute must be found out for it. The substitute crop that must strike any one as it has struck us, is the sugarcane and the tobacco. In sugarcane crops as has been admitted by the Hon'ble Minister, Bengal occupied only the second position in the provinces of India as far back as 1893. No attempt worth the name has been made to produce these crops in large abundance as a substitute for the jute crop in Mymensingh.

Dr. NARESH CHANDRA SEN GUPTA: On a point of order, Sir. Is the hon'ble mover discussing his motions or holding forth on the general economic situation in the country?

Mr. PRESIDENT: There are two motions before the House: one dealing with the question of agricultural schools and the other with the question of demonstration farms. He is advocating the need for a well-equipped institution and probably his point is that if such an institution is properly constituted the agriculturists will have an opportunity of learning lessons inculcated in the fields. Is it not so, Mr. Ray Chowdhury?

Babu SATISH CHANDRA RAY CHOWDHURY: Yes, Sir, exactly and jute is one of them—

Dr. NARESH CHANDRA SEN GUPTA: But he has not made that out yet.

Babu SATISH CHANDRA RAY CHOWDHURY: Please wait and you will see how I make out my case. No lawyer can make out his case until he goes into it. I am glad to find however a change made in the programme for the Hon'ble Minister has provided for a grant of Rs. 1,000 for agricultural associations. That is very promising but I want to be sure that that money is properly utilised. In this connection I may be allowed to quote a chapter from the modern agricultural history of Russia. There are in each unit and not in a district only, but in each village unit an agricultural association sponsored and founded and patronised by Government. If you have an agricultural association like this in each union at least, you can bring yourself in touch with the vast masses of the agriculturists through such associations. In Russia in these agricultural associations they have got libraries and seed stores containing seeds on improved methods and books to record the opinions and experiences of cultivators. Not only that, whatever the cultivators write on the books out of their experience they are at once communicated to Government and Government have got to get these facts of the experience of the agriculturists noted in their records and either to give effect to them or to convince the people why they cannot do so. So there is no wonder that the face of the whole of that country is going to be changed as far as agricultural possibilities go, while we in India have to wait perhaps for decades and decades of years for the millennium to come but which will perhaps never come if our fates are in the keeping of persons without proper vision and outlook. I submit that if the Minister is really anxious for the improvement of agriculture and of the condition of the agriculturists and if, instead of simply showing us a paper programme, he really wants to achieve anything it is certainly up to him to see that his department is brought in touch not with demonstrators in experimental farms merely or with officers in the district towns, but that it is brought in touch with the real people in the villages, by carrying knowledge and works to their very door. Remember that upon their verdict will be judged the success or failure of the work of the departments. If that day ever comes when the verdict of the tillers of the soil will be the real verdict of the success of the government in this country, then and then only shall we have swaraj in tangible shape and not before that.

Dr. NARESH CHANDRA SEN GUPTA: While I am in agreement with a great deal of what Mr. Ray Chowdhury has said I am afraid that in moving his cut with regard to the agricultural schools he has

not taken stock of the actualities. The problem of agricultural development of Bengal to-day is less a question of agricultural instruction than of economic organisation. I should certainly desire very much that knowledge of up-to-date agriculture was disseminated through properly equipped schools to persons who were going to devote themselves to agriculture. But without that a mere school for training a certain number of persons in agriculture without knowing what to do for them would be a sheer waste of money. Therefore the question of agricultural education should be part and parcel of a great programme—a programme which will provide for the utilisation of the services of the graduates of these schools. That is the sort of programme which we want. We have got first of all to think out how we are going to utilise the services of the graduate agriculturists, and till we have done that, to start a school on the offchance of getting some value out of it would not be desirable and advisable. In this connection I would like to draw your attention to the fact that such a scheme has already been formulated and is as a matter of fact already before Government and Government has been considering it at any rate for more than a year. We do not know what has happened to that, and I should like the Hon'ble Minister to enlighten us with regard to that—I refer to the scheme of Sir Daniel Hamilton. In the current year's budget a provision was made for a loan of a lakh of rupees to Sir Daniel Hamilton for his scheme. That item has simply been dropped off from the next year's budget and nothing seems to have been done in that connection. I know Sir Daniel Hamilton approached Government as well as the University with alternative schemes. The Hamilton Scheme provided for an agricultural institute for the training of young men so that men who are so trained would be partly utilised for propagating agricultural knowledge by means of co-operative societies and other things (under Government) and partly for the colonization scheme which was also visualised by Sir Daniel. I have examined that scheme and so far as it goes, although there may be imperfections in it and although it may be open to correction, it was, I think, a sound basis upon which to proceed for the purpose of developing the agricultural resources of the country. And I should like to know what the Minister has got to say with regard to that scheme. And with regard to other motions on experimental farms which have also been referred to by my friend Mr. Ray Chowdhury, I must confess that I am fed up with these experiments by experts. We have had any quantity of experiments, up to now, some of them successful experiments while most of them, I should say, not very successful. What I insist on is that these experiments have got to be carried forward to their legitimate conclusions and my complaint is that they have not been carried to their legitimate conclusions. Thus, for instance, a very successful experiment in cattle breeding and sileage operations and fodder cultivation was carried out by the Agricultural Department. We are told that the experiment

was very successful and the next step that was suggested in the report of the Agricultural Department in the light of the experiments was the organization of a dairy farming industry upon which further progress depended; that was the logical consequence of that experiment but nothing has been done to push it forward to that point. No attempt has been made to carry the experiment to its logical consequences so that it might be fruitful. That is my complaint. Many of the experiments have led to useful results but they have stopped there. Many experiments have been made, many investigations have been made and the results of the investigations are before Government but thy are rotting in the shelves and no action has been taken on them. Therefore we do not want any further experiments.

What Mr. Ray Chowdhury aims at, so far as I can gather from his speech, is not experimental farms but rather a different sort of demonstration farms which will carry the lessons to the home of the cultivators and teach them the proper methods of improvement. That is certainly desirable but that alone will not do; side by side with that we have got to give the agriculturists the wherewithal to carry out these experiments. Mr. Ray Chowdhury talked of improved ploughs but how many agriculturists are there in Bengal who can utilise those ploughs, who can buy cattle for the purpose of utilising those ploughs? Similarly who can take advantage of all the information about manuring that is given by the Agricultural Department? If you carry the plough to the demonstration farm you must carry the scheme for the purpose of spreading it by means of co-operative societies, spreading amongst the people something like the sort of thing that is done in Russia for the collectivation of farms. There the Government sends an agricultural expert with a tractor and an engine to that centre. They not only send the tractor and the engineer but they also invite the cultivators to come and place themselves under the engineer for the purpose of learning the improved methods of cultivation. In consequence the contracts have been entered into with the tractor centre by the cultivator as a result of which there has been this collectivation in Russia. I do not exactly expect Government to go so far and do the same thing but I want that whenever Government goes and starts a centre for agricultural activities in any part of the province, it should do so on the lines of making a dynamic centre, a centre from which will emanate not only the knowledge but the economic resources of utilising that knowledge in the villages. The whole field should be organised so that advantage may be taken to the fullest extent of the improved knowledge that is brought home to them. I suppose that is the sort of experimental farm Mr. Ray Chowdhury contemplates when he says that he should like to see farms growing up and not merely experiments carried out.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, I should explain at the outset that Government fully recognise the need for such an institution and they are cognisant of the eagerness shown by Bengal youths for higher agricultural education. The question of the establishment of an agricultural institute was thoroughly threshed out and a scheme for training in collaboration with the Dacca University was prepared. The essence of the scheme was to provide the study of sciences such as Physics, Chemistry and Botany and Bacteriology correlated with agriculture at the University and the practical training at the institute. The scheme, however, involved heavy expense and it was estimated that the total cost would be between Rs. 13 to 17 lakhs. Considering the financial stringency there was little prospect of such an expensive scheme materialising. Consequently Government were forced to keep it in abeyance till the return of better times. In view, however, of the need of affording training in agricultural engineering and dairying which formed part of the main institute scheme, two schemes for Engineering and Dairy Sections at the Dacca Farm were administratively approved in 1928 at an estimated cost of Rs. 1,24,380 and Rs. 81,000 respectively. Here again financial difficulties stood in the way of getting ahead with those schemes.

Consequently Government had to be satisfied with the training that could be afforded at the Secondary Agricultural School at Dacca which is the only institution in Bengal where elementary agriculture on practical lines is taught. The school, however, is intended for students belonging to the agricultural classes, and it is not always possible to entertain applications from boys of non-agricultural parentage. This school is making satisfactory progress and although it offers no prospect of appointment to passed students the applications for admission are on the increase.

Experience has shown that pure-type agricultural schools have not been a success, and it has been found that unless a distinct bias can be given to the school boys to take up agriculture as their vocation in life no real advance can be hoped for. With this end in view the scheme for agricultural education in high English and middle English schools on the Punjab system has been introduced. The number of schools in which agricultural classes have been introduced is over 40. The results of this experimental scheme are now under examination.

I should mention here the interesting experiment of training *bhadralok* youths at the Faridpur farm where they work as labourers, and who on completion of their training are provided with *khas mahal* land. The fourth batch of 5 youths has completed its training and a fifth batch will be taken in. Training is also given in the primary agricultural schools at the Burirhat and Kishoreganj farms. Courses of study are also provided by the Sericulture Department for sons of

silkworm rearers in the theory and practice of up-to-date nursery methods.

Now, Sir, my friend the mover complained that the department has paid no attention to the district of Mymensingh which he represents. That is not a fact, Sir. If my friend had cared to know the extent to which the cultivation of departmental improved canes is spreading in Eastern Bengal, and specially in the district of Mymensingh, I am sure he would have been satisfied, and would have had no cause for complaint. Sir, our department is doing its level best to find out a suitable money crop for jute in every district of Bengal, and in Mymensingh, which is a sugarcane producing district, as much as 257,850 cuttings have been distributed.

As to sugar manufacture and *gur* boiling, I would mention that it is the policy of the Agricultural Department to advocate the establishment of small ten-ton sugar factories for the manufacture of sugar from *gur* to enable cultivators to dispose of their cane profitably. This system is suitable for small capitalist organisations on a co-operative basis. The department is keen in the matter and a bulletin has been issued furnishing necessary information regarding cultivation of cane and manufacture of *gur* and sugar. All that the department can do is to assist those interests in the manufacture of *gur* and sugar, and such assistance and advice has been freely given and will continue to be freely given by the Director of Agriculture and his staff.

Mr. PRESIDENT: Would you take long, Nawab Sahib? This is the time for adjournment for prayer.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: In that case, I shall resume my reply after the adjournment.

(The Council was adjourned for ten minutes for prayer.)

(After adjournment.)

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, I should explain with reference to the establishment of village union farms, that the results obtained from the scheme initiated in Faridpur for agricultural propaganda and demonstration work in conjunction with union boards have been encouraging and the work is being continued. If union boards elsewhere come up with proposals for initiating such schemes, they will receive due consideration. If and when it is found necessary and possible to increase the staff of agricultural demonstrators this will be done, but at the present moment, on account of financial stringency, an increase in their number is not possible.

Sir, I would now deal with the question of experimental farms referred to by the mover. In connection with the demand made last year as also in the year 1931, I had occasions to explain fully the functions of these farms and the results derived therefrom. I have no wish to-day to go over that ground again; I would however mention that in paragraph 303 of their report, the Bengal Retrenchment Committee have for the reasons stated therein recommended a reduction in the number of farms to five, the remaining 21 of the existing farms being made over to local bodies and associations, or leased out to persons who would run them on commercial lines. In view of the importance of the question Government have appointed a committee consisting mainly of non-official members of this House to consider and formulate their opinion on the recommendations. This committee which is sitting now will doubtless go into the number of the farms which should be maintained, having regard to the service done by them.

In view of this explanation, Sir, I hope my friend will not press his motions; otherwise, Government must oppose it.

The first motion of Babu Satish Chandra Ray Chowdhury was then, with the leave of the House, withdrawn.

His second motion was put and lost.

(Here the time-limit for "Agriculture" expired.)

The main demand under "34—Agriculture" was then put and agreed to.

DEMAND FOR GRANT.

35—Industries.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 11,46,000 be garnted for expenditure under the head "35—Industries."

The budget provides for the Electric Adviser and his staff and Cinchona Plantations which are reserved subjects as also for the Industries proper which alone is transferred. I have no observations to make on the reserved portion of the budget.

Turning to the Transferred budget, I cannot but refer here also to the exceptional financial circumstances under which the estimate has been framed. It is a matter for regret that it has not been possible to provide for an expansion in this nation-building department commensurate with the needs of the province, except, however, in one important direction on which I shall dwell later. In other directions

the funds provided for are barely sufficient for carrying on the normal activities of the department. On the other hand, a saving to the extent of Rs. 19,000 has, since the presentation of the budget, been effected and further savings are expected as a result of decisions on the Retrenchment Committee's recommendations affecting the Industries Department. It will, however, be the earnest endeavour of Government to see that the funds, depleted as they are, are put to the best use.

Notwithstanding the present financial situation, I trust the House will appreciate that it has been possible to provide for a recurring expenditure of over a lakh of rupees for implementing the scheme of industrial development evolved as a measure to relieve to some extent the present unemployment among the educated middle classes of this presidency to which reference was made in the last budget speech and which has already attracted a good deal of public attention. The immediate objective is to create an industrial atmosphere in the country and to give our unemployed young men an opportunity to be trained in the new and improved processes in the various cottage industries which will afford remunerative occupation to a large number of such men. It is, however, not claimed that the scheme will sweep away unemployment from the face of the country but it is admittedly an indication of the very serious efforts now being made to tackle the problem by opening out new avenues of employment to the more ambitious among the young men who are disposed to take up small industries as a result of the demonstrations to be conducted by the 28 demonstration parties, seven of which have already been established and the remaining 21 parties will be established in the course of the next year. Given adequate local support and co-operation the prospects of the scheme are indeed bright.

Turning to the Bengal State-Aid-to-Industries Act, I would mention that a representative board called the Board of Industries, composed mainly of businessmen, has been set up and the board have begun to function. The Council will no doubt share my disappointment that the present financial stringency has stood in the way of making any provision for State-aid under the provisions of the Act. But thanks to the generosity of some public-spirited gentlemen—a generosity which has already been acknowledged in His Excellency's address to the Council the other day—donations and contributions have already been received for carrying out the purposes of the Act through the Board of Industries. It is hoped that others will follow their beneficent example, so that with the funds now accumulating it may be possible for the board to take practical steps for the development of indigenous industries of the province on the lines contemplated in the Act.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 1,19,000 under the head "35A—Industries—Transferred—Direction—Director of Industries" be reduced by Rs. 30,600.

Sir, I must say that I regret that I could not catch most of the words that the Hon'ble Minister just said. I know that he was ill, and I did not want to worry him by asking him to speak up when probably he was physically unfit, but one sentence that I could catch was that he was congratulating himself and the Council on the fact that the Board of Industries has begun to function. I have just one word to say in regard to that. I am one of the representatives of the House on that Board, and that Board made several attempts to function since its initiation and in November last they framed a set of rules. Under the Act, the Board cannot properly function till these rules have been approved by the Local Government, and till these rules have been notified. The celerity with which Government acts will be patent from the fact that to-day on the 28th March Government has not yet found time to approve of these rules so as to allow the Board to function. The House is aware that the State-aid-to-Industries Act was passed about two years ago now, I think in July or August, 1931, and up till now the inactivity of the Government has made it impossible for the State-Aid-to-Industries Board to begin to function. Well, Sir, that is by way of introduction. Now, coming to the cut itself the House will see that the total Industries (Transferred) grant is Rs. 7,73,000 out of which, as the members will see from page 290 of the green book, a sum of Rs. 4,05,632 is spent in pay of officers and pay of establishment, allowances and honoraria, etc., and Rs. 2,21,340 is spent on scholarships and grants-in-aid which, if I may say so, are more or less of a fixed character: that leaves about Rs. 1,50,000 for the other activities of the Industries Department, that is to say, for the purpose of spending the Rs. 1,50,000 on the proper activities of this department, Government pays its officials and establishment Rs. 4,05,000: that is the way in which industries are being developed in this province and that is the reason why we have got a Director on a pay of, I do not know exactly how much, but probably it is somewhere about Rs. 2,500. I submit, Sir, that the money spent on pay of officers, of highly placed officers and of their men who are almost equally highly paid, namely, Rs. 4,05,000, in order to spend Rs. 1,50,000, is wholly uncalled for and extravagant. It will be in the recollection of the members of this House that the Retrenchment Committee recommended that so far as the ministerial staff at headquarters is concerned, they were satisfied that neither the number nor the rates of pay of the staff could be justified. Well, Sir, I do not know if the Retrenchment Committee went into the question of the high salaries that are paid to the Director of Industries and his higher officials; but considering the work that is done so far as the propagation of industries is concerned, so far as the actual development of industries in this province is concerned, I submit that Bengal has been paying much too much to its officers. As I have said, out of Rs. 7,73,000, Rs. 4,05,000 go for pay of officers and establishment and

Rs. 2,21,000 for scholarships and grants-in-aid, to distribute which I think it is not necessary to maintain a costly staff like this. I submit that it is ridiculous to say that you should have officers who cost you this huge sum of Rs. 4 lakhs to spend about a lakh of rupees for development of industries. I am quite aware of the fact that the Hon'ble Minister will presently flaunt it before us that out of this Rs. 4 lakhs a sum of Rs. 1,08,112 will be spent on temporary establishment for carrying out the new scheme accepted by the Hon'ble Minister regarding the unemployment question of *bhadralok* youths. But even if this Rs. 1,08,000 were taken away that would still leave about Rs. 3 lakhs on account of pay of officers and establishment, and I think it is really time for the Hon'ble Minister to pause and consider whether he should have these highly paid officers, beginning from the Director and downwards and whether he is getting the value for the money. If not, he ought to cut the pay or the number of these posts and see that the small sum that is given to this department by the Government is actually spent for the good of the country in the development of industries. It is trite knowledge and needs no repetition that industries in this province are not in a flourishing condition and that a great deal could be done if Government were to take in hand the question of development of industries in the proper spirit. But I would ask the Hon'ble Minister to tell the House what this department has done up till now for the development of the industries of the province. We have been paying these salaries to the tune of, if not of Rs. 4 lakhs, of 3 lakhs—because I find, as I have said, that the temporary establishment is expected to cost Rs. 1,08,000 this year, and probably the Hon'ble Minister will explain the purpose of the scheme he has taken in hand; but I would like to know what value has the province got for the Rs. 3 lakhs spent on the salaries of the Director and his subordinates for years past? I submit, Sir, that so far as this department is concerned, instead of being a department for the development of the industries of the province, it is probably more or less a department which is industriously engaged in filling the pockets of its officers.

Mr. K. C. RAY CHOWDHURY: Sir, the whole burden of the song of the last speaker lay in the denouncement of the expensive staff. Is it not too late in the day, Sir, to tell anyone that unless you pay well you cannot get the best men for your job? A litigant who has got a bad case goes to the best lawyer like my friend, Mr. N. K. Basu. And why? Because he wants to make the best of a bad job by engaging the services of the best man. Our small industries are in a bad way. You cannot develop them without the help of the best men available. Some one said that the Industries Department was a make-believe institution and is doing no good. Nothing of the kind. I am in close touch with the department and I may tell you that it is the opinion of many

industrial and business men who are interested in the manufacture and sale of swadeshi goods that they get the best possible advice from that department. Sir, I would like to see much more money spent on that department so that we may get the best men (industrial specialists) to advise us, and, Sir, I can think of no better man in India who is better suited for the job than Mr. Weston, our present Director.

Mr. P. N. GUHA: Mr. President, Sir, I fully agree with my friend Mr. Narendra Kumar Basu that there is no department under any Government anywhere in which four lakhs of rupees out of a total allotment of seven lakhs are spent on the salaries of the officers. My friend Mr. K. C. Ray Chowdhury has just now said that he was closely connected with the Department of Industries and in his opinion the money was well spent. I do not know the nature of his connection but, Sir, for last two years I have been taking good care to study the method of the work in the Industries Department. Newspaper readers may well remember that there had been a controversy, rather a duel, between the Director of Industries and a certain writer of a local journal over the method of the work in this department.

Sir, the Director of Industries has got two assistants, one Mr. Anadi Sen and the other Mr. Satish Mitter. The first named gentleman looks after the technical education in Bengal. I do not know how many schools are there. I know there is one at Barisal, one at Burdwan, one at Rajshahi and one at Rangpur. Sir, some years back an institution had been started in Calcutta known as the Calcutta Technical School. The Retrenchment Committee in which my friend Khan Bahadur Azizul Haque figured so prominently has recommended the abolition of this school but this will probably not be done for the reason that this particular institution is under the protective wings of Mr. Weston. I can assure you, Sir, that money is not wasted more criminally anywhere than in this particular school. I was a member of the Governing Body of this school for a period and I had ample opportunities of watching the teachings and working in that school. I am thoroughly convinced that money is simply wasted there and that was the exact reason why I stood in the way of that school getting Rs. 20,000 from the Calcutta Corporation. I was, however, compelled to withdraw my opposition at the request of some of my friends for which I received the congratulations of the Secretary to the Minister in charge of the department. Sir, I can assure you that the department spends much more money on the pay of the officers than on the real development of industries.

Sir, the members of this House and the public outside are aware of the excellent scheme formulated by my friend Mr. N. K. Basu for removing the congestion in the field of unemployment. A good beginning has been made and it is said that the scheme when fully deve-

loped will do a lot of good to the province. For obvious reasons I am unable to go into the details but I have reasons to believe that the whole thing would have been much better managed if the entire charge had been placed in the hands of the Industrial Engineer instead of keeping it with some one who does not know anything of the cottage industries of the province but is yet empowered to boss the whole show. Sir, I maintain that the Government do not allot sufficient money for the development of the industrial resources of the province but whatever little money is there, the greater portion of it is spent on the salaries of officers who are practically of no use to the department and who had better leave the department and cross the seas at the earliest opportunity.

Rai Bahadur JOGESH CHANDRA SEN: Sir, I cannot agree with my friend Mr. Narendra Kumar Basu, because if the Director goes, then who will write out the blooming reports and justify the existence of this department? I would suggest that the whole thing should be deleted from the budget of the province of Bengal. I was under the impression that the provision was for Rs. 70 lakhs and I was astonished to hear that it was Rs. 7 lakhs. What is the good of having a provision like this and making the Minister the target of attack for his inactivities. I would suggest that the budget may not go out of this country, so that other countries may not know how things are being managed in this province and how industries are being pushed in this country. It will be a sad thing if the conditions in this country become known outside India. I was connected with the Technical Institution for some time and I agree with my friend Mr. Guha that it is a hopelessly mismanaged institution and it can never justify its existence. With these words I support the motion of Mr. Narendra Kumar Basu.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I do not know exactly where I stand with regard to this motion. Mr. Basu's motion is not for a token cut; it is for the cut of a definite sum of money. Unfortunately the discussion has been in the nature of a discussion on a token cut. I think, Sir, there can be no two opinions about the anomaly of spending four lakhs or even three lakhs on establishment for spending one lakh on the development of industries——

Mr. PRESIDENT: I am very sorry you started to speak at an evil moment (Laughter). I must adjourn the Council now.

Adjournment.

The Council was then adjourned till 3 p.m., on Wednesday, the 29th March, 1933, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Wednesday, the 29th March, 1933, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 90 nominated and elected members.

STARRED QUESTIONS

(to which oral answers were given)

Cess revaluation.

***100. Mr. ANANDA MOHAN PODDAR:** (*a*) Is the Hon'ble Member in charge of the Revenue Department aware that the cess revaluation operations that are at present going on in some districts, are causing dissatisfaction as the cess to be paid in connection with landed property is being greatly increased?

(*b*) Is the Hon'ble Member aware that the assessment on khas lands of intermediate tenure-holders and zamindars is not being made according to the settled Land Revenue policy, as the annual value is being computed on the basis of the gross produce and not on the money rent which might reasonably be expected to be paid if they were let out to tenants?

(*c*) Is the Hon'ble Member aware that many cultivating raiyats are being wrongly treated as tenure-holders and are thus being made to pay cess on the annual value of their lands by virtue of a note under section 24 of the Bengal Cess Act, made by the Board of Revenue?

(*d*) Is the Hon'ble Member aware that the zamindars and intermediate tenure-holders in most cases cannot realise the rents and cesses from their tenants owing to the economic distress and are so unable to pay up the Govenment revenue?

(*e*) Is the Hon'ble Member aware that many estates are being sold for arrears of revenue as the zamindars and tenure-holders cannot collect money even by borrowing?

(*f*) Will the Hon'ble Member be pleased to state what relief, if any, the Government are granting to the zamindars and tenure-holders in their distress?

(*g*) Is it in the contemplation of the Governmtnt to take upon themselves the task of collecting the cesses?

(*h*) If not, will the Government take steps to hand over the task of cess collection to the district boards, for whose benefit the tax is levied?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) Cess revaluation operations are at present going on in Birbhum and Chittagong districts. The increase is small in Birbhum and about 51 per cent. in Chittagong.

(*b*) The assessment of khas lands is done according to the Cess Act. The reference to settled Land Revenue policy is not understood.

(*c*) No. Cultivating raiyats are assessed on the rent payable by them. When a person who is a raiyat under the Bengal Tenancy Act but not a cultivating raiyat under the Cess Act is assessed as a tenure-holder for the purposes of cess, it is done under section 26 of the Cess Act and not under any note made by the Board of Revenue.

(*d*) Government are aware that collections are bad in many districts and estates.

(*e*) Although the number of defaults has increased considerably, the number of sales has not increased appreciably. Out of 98,385 permanently and temporarily settled estates 616 estates and 514 shares were sold in 1931-32 and 913 estates and 390 shares were sold in 1930-31.

(*f*) The Collectors are in suitable cases exempting estates from sale long after the latest date of payment of arrears on payment of nominal fees, and they are not insisting on the payment of all cesses in arrear in cases when such consideration is necessary.

(*g*) No.

(*h*) No. The district boards have not the machinery, and so long as the present system of assessment exists it would not be possible for them to collect cess direct from all the persons liable to pay. Further, the cost of collection by any agency other than that of the landlords would be very heavy.

Abolition of the narrow-gauge railway line from Santipur to Krishnagar City.

*101. **Mr. P. BANERJI:** (a) Will the Hon'ble Member in charge of the Public Works (Railways) Department be pleased to state whether it is a fact that the abolition of the narrow-gauge railway line from Santipur to Krishnagar City is under the immediate contemplation of the E. B. Railway authorities?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Member be pleased to state what are the considerations which led to influence such a decision?

(c) Will the Hon'ble Member be pleased to state whether he is aware that in the Bengal Government, Public Works Department (Railway Branch) letter No. 44R., dated 9th January, 1924, it was stated that the Government were aware that the Santipur-Krishnagar City section of the Light Railway would work at a loss, but that it would be compensated by the additional earning which the new broad-gauge section from Ranaghat Junction to Santipur was expected to fetch?

(d) Will the Hon'ble Member be pleased to state whether the above additional earning does not cover the working expenditure of the narrow-gauge section in question?

(e) If the answer to (d) is in the affirmative, will the Hon'ble Member be pleased to place on the table the earnings of the new broad-gauge section from Ranaghat Junction to Santipur and the loss sustained in the narrow-gauge section from Santipur to Krishnagar City for the three years before and after the opening of the new broad-gauge line up to Santipur in 1925?

(f) Will the Hon'ble Member be pleased to state whether it is a fact that the present station master of Dignagar has been retained there since the discontinuance of the travelling booking system in 1926 in spite of public complaints?

(g) Is the Hon'ble Member aware of the fact that in reply to memorials to His Excellency the Governor of Bengal, the Government in their Public Works Department (Railway Branch) letters Nos. 632-R., dated 10th April, 1917, 1506R., dated 30th December, 1920, and 44R., dated 9th January, 1924, gave definite assurance to the public that the railway line from Santipur to Krishnagar City would be retained for passenger traffic?

(h) If the answer to (i) is in the affirmative, what action, if any, Government contemplate to take in the matter?

(i) Will the Hon'ble Member be pleased to state whether it is not a fact that the Railway Board was in favour of converting the narrow-gauge railway line from Santipur to Krishnagar City into a broad-gauge one, if not, at least retaining it as it is?

MEMBER in charge of PUBLIC WORKS (RAILWAYS) DEPARTMENT (the Hon'ble Mr. J. A. Woodhead): (a) Yes.

(b) The consideration which indicates the desirability of closing the narrow-gauge line between Santipur and Krishnagar City is the loss in working this section, the earnings of which do not even cover out of pocket expenses, without making any allowance for interest on capital and depreciation charges. In 1931-32 the earnings were Rs. 14,279, whereas out of pocket expenses were Rs. 23,004. In the present state of railway finances it is essential to minimise such losses.

(c) The statement was not as definite as is suggested in the question. Government actually said that "though calculations show that the line between Santipur and Krishnagar is likely to be worked at a loss, yet it is anticipated that this loss will be covered by the additional traffic obtained from the broad-gauge railway to be constructed to the town of Santipur." The last sentence of the letter was as follows:—"Should this anticipation, however, prove incorrect, the question of the retention of the line will be further considered by Government."

(d) and (e) The figures are not available, but a special investigation is being made.

(f) The present station master has been at Dignagar since September, 1926. His transfer was ordered in the ordinary course in 1928, but on representations from the public at Dignagar the transfer was cancelled.

(g) No, the latest of these three letters is the one referred to in the reply to question (c); the position is as stated in that reply.

(h) The matter is under consideration of Government.

(i) The question of converting the section Santipur to Krishnagar City into broad-gauge was considered by the Railway Board but was not found to be financially justifiable.

Movement for non-payment of creditors' dues.

*102. **Mr. ANANDA MOHAN PODDAR:** (a) Is the Hon'ble Member in charge of the Judicial Department aware—

(i) that a movement is afoot in some districts of Eastern Bengal for the non-payment of creditors' dues, and that, as a result, the loan offices, the credit societies and the money-lenders

are unable to realise their legitimate dues from the borrowers; and

(ii) that most of the loan offices and credit societies as well as the money-lenders of Bengal are put to great hardship by reason of this movement and that the system of indigenous banking is on the verge of ruin in consequence?

(b) If the answers to (a) are in the affirmative, will the Hon'ble Member be pleased to state what steps are being taken by the Government to amend the law of the land with a view to giving relief to the creditors?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (a) (i) and (ii) Both borrowers and lenders have been adversely affected by the present economic stress, and while in some areas there has been a movement to restrict or adjust payment of dues, in others payments are better this year than last. Generally, the situation is not as serious as is suggested by this question.

(b) Government are considering what can be done to mitigate the effects of the general situation; they are not considering any special measures for the relief of creditors.

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware that the destitute condition of the debtors is due partly to exploitation by the creditors in the past?

The Hon'ble Mr. W. D. R. PRENTICE: I am not aware of that.

Abolition of the Nilphamari subdivision of the Rangpur district.

***103. Babu NAGENDRA NARAYAN RAY:** (a) Will the Hon'ble Member in charge of the Political Department be pleased to state whether there is any proposal to abolish the Nilphamari subdivision of the Rangpur district?

(b) If the answer to (a) is in the affirmative, will the Hon'ble Member be pleased to state the reason for such abolition and the time when it will take place?

(c) Has any opinion, public or official, with regard to the above-mentioned proposal been taken?

(d) If the answer to (c) is in the affirmative, will the Hon'ble Member be pleased to lay on the table copies of such opinions?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) (*b*) (*c*) This is one of the suggestions under consideration in connection with the recommendation made in paragraph 149 of the Report of the Retrenchment Committee which deals with the amalgamation of subdivisions, and on which the opinion of the local officers has been taken.

(*d*) No.

Midnapore local board election.

***104. Mr. R. MAITI:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the local board election in the district of Midnapore during the last week of January, 1933, was held under the provisions of the old Act?

(*b*) If the answer to (*a*) is in the affirmative, what are the reasons for not taking any steps to postpone the election under the old Act?

(*c*) Will the Hon'ble Minister be pleased to lay on the table a statement showing thana by thana the result of the last local board election with—

(*i*) the number of seats for each thana;

(*ii*) the number of candidates who filed the nomination papers for such thanas;

(*iii*) the number of candidates whose nomination papers were rejected, and on what grounds; and

(*iv*) the names of the thanas where the candidates were declared to be elected without voting?

(*d*) Is it a fact that the majority of the candidates whose nomination papers were rejected were Congressmen, including ex-Chairmen, ex-Vice-Chairmen and ex-members of the district and local boards?

(*e*) Is it also a fact that the election has failed in most of the thanas?

(*f*) If the answer to (*e*) is in the affirmative, do the Government intend holding a second election in accordance with the provisions of the new Bengal Municipal Act of 1932?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) Yes.

(*b*) The amendments did not affect the elections.

(*c*) A statement is laid on the table.

(*d*) and (*e*) No.

(*f*) The Municipal Act does not apply to local board elections.

Statement referred to in the reply to starred question No. 104 (c).

Name of thana.	Number of elected seats.	Number of candidates who filed nomination papers.	Number of candidates whose nomination papers were rejected.*	Number of candidates declared elected without voting.
Sadar Subdivision.				
Garbeta	3	14	12	2
Keshpur	2	5	3	1
Salboni	1	3	1	..
Midnapore	2	3	2	1
Kharagpur	2	8	6	2
Debra	1	6	5	1
Pingla	1	3	2	1
Sebang	2	13	11	2
Narsingarh	2	8	6	2
Kesiary	1	13	13	..
Dantan	2	7	4	..
Mohanpur	1	4	1	..
Total ..	20	87	66	12
Contai Subdivision.				
Contai	4	20	8	..
Ramnagar	2	9	6	..
Egra	3	14	11	3
Patashpur	3	12	10	2
Bhagawanpur	3	12	8	..
Khedgree	3	15	10	..
Total ..	18	82	53	5
Tamluk Subdivision.				
Tamluk	3	4	1	3
Maisadal	3	4	2	2
Nandigram	3	11	7	3
Panskura	4	10	5	4
Sutahata	2	Nil	..	..
Moyna	1	Nil	..	..
Total ..	16	29	15	12

*The grounds on which nomination papers were rejected are various: they included :—

(1) Want of evidence to prove qualification.

(2) Nomination papers not properly filled in.

(3) Filing of nomination papers after the date fixed.

(4) Absence of candidates on the date of scrutiny.

Name of thana.	Number of elected seats.	Number of candidates who filed nomination papers.	Number of candidates whose nomination papers were rejected.*	Number of candidates declared elected without voting.
Ghatal Subdivision.				
Ghatal	5	21	15	5
Daspur	5	14	12	5
Chandrakona	4	19	10	..
Total ..	14	54	37	10
Jhargram Subdivision.				
Jhargram and Jamboni	4	10	3	4
Binpur	2	9	4	2
Gopiballavpur	3	19	10	3
Nayagram	1	5	3	1
Total ..	10	43	20	10

*The grounds on which nomination papers were rejected are various: they included :—

(1) Want of evidence to prove qualification.
(2) Nomination papers not properly filled in.
(3) Filing of nomination papers after the date fixed.
(4) Absence of candidates on the date of scrutiny.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state as to how a certain candidate's voting paper was rejected for want of evidence to prove qualifications?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The election rules provides for that.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to circulate copies of those rules?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: They are available in the market.

Babu SATISH CHANDRA RAY CHOWDHURY: With reference to answer (*b*), will the Hon'ble Minister be pleased to state whether the new Amendment Act provides a second election in the case of the failure of the first election and prevents frivolous candidature by insisting on a deposit so that election may be effected?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I want notice of that.

Mr. R. MAITI: With reference to (*d*) is it not a fact that Debendra Lal Khan, Raja of Narajole, was a candidate for election in the local board?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I want notice.

Saraswati Puja at the Gopalganj Sitanath Academy.

*105. **Dr. AMULYA RATAN GHOSE:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware—

(*i*) that the Hindu students of the Gopalganj Sitanath Academy wanted to perform the Saraswati Puja with the permission of the secretary and the head master of the institution in front of the main school premises;

(*ii*) that the Subdivisional Officer Khan Bahadur A. Z. Khan circularised to stop the Puja at the abovementioned place, although many gentlemen of the locality were already invited for the occasion, including the Subdivisional Officer, several days before the Puja;

(*iii*) that the circular was issued on the very day of the Puja with the result that the students could not make other arrangements and had to abandon the idea of the Puja altogether; and

(*iv*) that the authorities of the institution have been written to and resolutions of protest passed at a meeting of the Hindu guardians and pupils against the action of the Subdivisional Officer?

(*b*) Is the Hon'ble Minister aware that a thatched hut for Moslem boarders to say prayers was erected in the compound of the same institution without the knowledge of the school authorities during a Puja vacation and thereafter it was converted into a corrugated tile shed and now this is going to be converted into a pucca mosque without even the permission of the proper authorities?

(*c*) If the answers to (*a*) and (*b*) be in the affirmative, are the Government considering the desirability of taking any action in the matter?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (a) (*i*) Yes, but the permission was granted without reference to the School Committee.

(ii) Yes.

(iii) No. The Subdivisional Officer suggested that the Puja should be performed not in front of the main school building but in the head master's house. This suggestion was accepted by the head master on the evening before the Puja and by the secretary and other leading gentlemen of the town on the morning of the Puja, and the Puja was performed accordingly.

(iv) Yes, after the celebration of the Puja a protest meeting was held by a section of the local Hindu public.

(b) There is a mosque in the compound of the Moslem Hostel and not in the school compound, and it has been in existence there for over 15 years. It is about 125 yards away from the school and five private houses intervene between the hostel and the school compound. The building had at first a thatched roof, which was subsequently replaced by corrugated iron, and it is now being provided with pucca walls by public subscription. There is nothing in the school records to show whether the mosque was originally built in the hostel compound with the permission of the School Committee. The question has never been raised either by the school authorities or by the local public. On the other hand, the secretary of the school considers the provision of pucca walls for the mosque to be a distinct improvement to the Moslem Hostel.

(c) The managing committee at their meeting held on 6th February, 1933, decided to build a Hindu Hostel where the boarders can celebrate their Saraswati Puja in future. The Secretary to the School Committee reports:—

> "This has provided a permanent solution of the problem of Saraswati Puja and the matter has now been happily settled once for all."

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Minister be pleased to state under what section and under what law the Subdivisional Officer made the order referred to?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Babu SUK LAL NAG: Did the Subdivisional Officer take the consent of the School Committee before he issued the circular?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Babu SUK LAL NAG: What led the Subdivisional Officer to issue such a circular?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I cannot tell you that.

Reverend B. A. NAG: May I enquire if the "Saraswati Puja" was permitted in front of the school building, could not the Subdivisional Officer allow Bakr-Id to be performed in front of the school on request? (Laughter).

(No answer was given).

Babu SATYA KINKAR SAHANA: Was it the first time that the Hindu students were going to perform the Puja there or have they been performing it for the last three years?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: According to the map which has been placed in the file the Saraswati Puja used to be performed in a different place to what was proposed to be done this year.

Khan Bahadur MUHAMMAD ABDUL MOMIN: Is not the Subdivisional Officer in the interest of administration and peace competent to pass such an order?

Mr. PRESIDENT: I do not think the Hon'ble Minister can answer that question. His department is not concerned with the functions of a Subdivisional Officer.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Expenditure of road cess by the district boards on communication.

82. Rai JOGESH CHANDRA SEN Bahadur: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether it is intended that the district boards should spend the entire amount of road cess only on communication?

(*b*) If so, will the Hon'ble Minister kindly refer to the rule under which the district boards are required to do so?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) No.

(*b*) Does not arise.

Commissions and inquiries appointed by the 2nd Court of Pirojpur in the Bakarganj district.

83. **Babu LALIT KUMAR BAL:** Will the Hon'ble Member in charge of the Judicial Department be pleased to state separately—

(*i*) how many commissions and inquiries were issued during the year 1933 by the 2nd Court of Pirojpur in the district of Bakarganj;

(*ii*) how many of such commissions and inquiries were given to the caste-Hindu pleaders, Muhammadan pleaders and the depressed class pleaders respectively and what are the names of such pleaders; and

(*iii*) on what principles were such commissions and inquiries distributed?

The Hon'ble Mr. W. D. R. PRENTICE: (*i*) Commissions—2; Inquiries—Nil.

(*ii*) Both of the commissions were given to caste-Hindu pleaders. Their names are Babu Nagendra Narayan Bose and Babu Keshab Chandra Ghose.

(*iii*) Commissioners to hold local investigation and to take accounts are appointed by the District Judge. The appointment of other commissioners is within the discretion of the Court.

Bil Dantbhanga.

84. **Mr. A. F. M. ABDUR RAHMAN:** (*a*) Will the Hon'ble Member in charge of the Irrigation Department be pleased to state whether he is aware that the tenants of Bil Dantbhanga situated partly in the district of 24-Parganas and partly in the district of Khulna are very much inconvenienced for want of proper irrigation arrangements and the want of an embankment in the Bil?

(*b*) Is it a fact that the tenants of the said Bil approached the Collectors of Khulna and 24-Parganas for the redress of their grievances, but to no purpose?

(*c*) If the answer to (*a*) is in the affirmative, are the Government considering the advisability of taking immediate steps for making necessary arrangements for the proper irrigation of the Bil and for the putting up of an embankment?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Ghuznavi): (*a*) From the information available it appears that the tenants of the Dantbhanga Bil area suffer from

flooding in years of heavy rainfall and are anxious for a scheme to relieve the flooding. There is no indication that they require any irrigation arrangements.

(*b*) An application was received by the Collector of 24-Parganas towards the end of last year.

(*c*) Not at present. The application is under consideration of the Collector, 24-Parganas, who will consult the district boards of 24-Parganas and Khulna.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to say whether it is not a fact that this *bil* remains under water throughout the whole year?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Not, as far as I am aware.

Mr. MUKUNDA BEHARY MULLICK: With reference to (*a*) do the Government propose to make a survey of the area in question with a view to making it agriculturable?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I refer the hon'ble member to answer (*c*). The matter is under consideration.

Mr. MUKUNDA BEHARY MULLICK: When was the application sent to the Collector of the 24-Parganas?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I cannot answer that without reference to the file.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state how long will it take for the Collector of the 24-Parganas to come to a decision in this matter?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: That is a matter which rests with the Collector.

Dr. NARESH CHANDRA SEN GUPTA: With reference to (*a*) will the Hon'ble Member be pleased to state whether the area requires drainage arrangements and not irrigation?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I have nothing to add to my answer.

Mr. MUKUNDA BEHARY MULLICK: How long will it take Government to come to a decision as to the steps they propose to take in this matter?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: That would depend on how long it takes the Collector to send in his report.

DEMAND FOR GRANT.

35—Industries

Mr. PRESIDENT: We get back to item No. 746. I think Dr. Naresh Chandra Sen Gupta was in possession of the House.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I was going to submit that on the face of it the expenditure of this department is excessive. But at the same time I must say that I do not agree with the reasoning of my hon'ble friend, Mr. Narendra Kumar Basu, that that is a reason for cutting down the establishment or the staff of the department. That is rather a reason for increasing the expenditure of that department by all available means. I agree far less with the observations of Mr. Guha who unfortunately brought in the personnel of the staff into discussion. I want to state as emphatically as I can that I do not think that the members of the staff in the Department of Industries are enjoying *sinecures*. It is not correct of him to say that the department consists of three officers—the Director, the Inspector of Technical Schools and the Industrial Engineer. The department maintains not only the Director, the Industrial Engineer and the Inspector of Technical Schools but an Industrial Chemist as well who is also doing very valuable work, and the Superintendent of the Tanning Institute who has done incalculable services to the tanning industry in the province. There is also the Principal of the Weaving School which is an institution whose value in developing the handloom industries of the province has been very considerable. I can speak from my own knowledge of the very good work done in the past by the school under Mr. Hoogewerf not only in the institute itself but also in disseminating knowledge amongst handloom workers abroad in the villages. The department also maintains a weaving expert and a mining lecturer. So it is not altogether correct to say that this small department consists of three officers who do nothing. As a matter of fact I do not want to underestimate the value of the services of these officers. My complaint is—and the reason why I support this is—that the available material that we have here—material which has been proved by its services in the past to be capable of doing excellent work for the country—is not being utilised to the fullest extent by the Government

and the Government has been stinting the department in not providing it with all the resources that are necessary for the purpose of availing itself fully of the services of these officers.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, yesterday Mr. Narendra Kumar Basu complained about the salaries paid to officers of this department. Since then I was trying to find out whether the allegations which he made were really correct or not. I am afraid that although I tried my best to find out from the budget as to whether this department was paying too much in salaries, I failed in my attempt. The total budget estimate of this department is Rs. 7,73,000. It is divided into three heads, (1) Industrial development, (2) Industrial education, and (3) Direction. On all these three heads I have calculated the total pay given to the officers to be only about Rs. 1,25,000 and not Rs. 4,00,000 as stated by Mr. Narendra Kumar Basu. I find again that out of the total estimate of Rs. 7,73,000, Rs. 1,97,000 is provided for industrial development, and that is in connection with the scheme of unemployment and the Tanning Institute. Surely it is not suggested that this section is paying too much on salary under this head, because the only gentleman who gets a comparatively high pay, namely, Rs. 750, is the Superintendent who is also the Tanning expert of the department.

Now, Sir, the second is industrial education. Under this head we find that the only officer who gets any high salary is the Inspector of Technical Education. His total annual pay is Rs. 14,000 and his travelling allowance Rs. 1,400 making a total of about Rs. 10,000.

The next is the Directorate. Here we find that the total sum paid as salary is roughly about Rs. 41,000 and includes the pay of the Director, Industrial Engineer and Industrial Chemist. These are the three definite items of salary in the department. An additional amount is the pay of teachers, masters, technical officers and other officers engaged in teaching and giving instruction in technical schools, and surely it is not suggested that the money spent on these heads is a huge waste. I feel, Sir, that the salary paid in these sections requires a detailed study. The Director gets Rs. 2,250, the Industrial Chemist Rs. 1,000, the Industrial Engineer Rs. 1,000, the Inspector of Technical Schools Rs. 1,350. I may remind the House that the Industrial Commission while recommending the establishment of the Industries Department in this province suggested that the Director should have a pay of Rs. 3,000 and the Deputy Director in Bengal should have a pay of Rs. 1,500. Mr. Malavya who wrote a note of dissent said that the Director should have a pay of Rs. 1,000—2,000 with 25 per cent. extra for European recruits. We have no Deputy Director, but apart from that it will be seen that Bengal is not paying too much and the pay of

the officers if taken in proportion with that paid in other departments cannot be said to be high. I do not think that my friend Mr. Basu objected throughout the budget to any such high salaries except those paid to the Members of the Executive Council. If Government are justified in paying high salaries to any officers it should be in the case of technical officers who are not so plentiful as blackberries. There is no doubt that we want more industrial and technical institutions in Bengal, but Mr. P. N. Guha counted the number of such institutions at his fingers' ends. It is really a pity that we do not care to find out facts. I find from the administration report of the department that Government maintain 4 junior technical schools, 10 special technical institutions, 2 mining classes, 1 tanning institute, 10 weaving schools, and 25 peripatetic schools. All these are maintained entirely by the department, and in addition there are a number of aided institutions. There are 2 artisan schools, 5 senior technical schools, 10 junior technical schools, 12 mining classes, 11 industrial schools and 20 weaving schools in different parts of Bengal. Surely the management of all these institutions *plus* the distribution of a grant of roughly about Rs. 1,84,000 and scholarships amounting to Rs. 38,000 require the control of an officer of a superior class specially under the present system of audit and account rules. I do not think the Industries Department could be accused of unnecessarily lavish expenses in this. Some of my friends have also complained of the work of the department. This matter was considered by the Retrenchment Committee and I have gone through the matter in full detail and found that whatever money is spent on this department is justified. The Tanning Institute was started at a time when chrome leather could only be obtained at a very high price from Germany and the Continent. At this time certain leather manufacturing concerns were started in Bengal but almost all of them failed. It was at this stage that Government took the matter up and the result has been that there are to-day about 300 tanneries in Calcutta producing 1¼ crores of tanned goods. The result of this has been that Bengal has made a very large amount of profit in leather goods alone. Thirty lakhs of rupees of leather goods are now exported from Bengal. Even then the value of the total export of raw hides from this province is still about Rs. 4 to 5 crores. By the further improvement of this industry, Bengal can make headway in industrial development. I find from the report that 53 students were studying during the last few years and out of these 53 as many as 45 have found employment in different places in India. The work of the department in this branch has also attracted the attention of the military authorities in connection with the vocational training of Sergeants in the Indian Army, and a number of Sergeant students have come to the Bengal Tanning Institute for the purpose of vocational training. There is another matter to which I would like to refer. We in Bengal use a large number of shoes and boots. In Calcutta alone the number

of Chinese and other people employed in shoe-making industry is enormous, and here is an opening for the young men of Bengal. One can easily understand from the way in which Messrs. Bata and Company are developing their concerns as to how much opening there still remains in that direction for our young men. Turning to the work of the Industrial Chemist, the department have of late been making researches in the modern methods of soap-making. Even in soap which is a thing of everyday use in Bengal you will find that as a result of the researches carried on by this department a good number of young men have opened soap factories. There is still enough to be done, but the total sum that is provided is not sufficient to tackle the work that remains to be done. I will say only one word about the Industrial Engineer. This gentleman has for some time past been concerned with the development of cottage industries on an economic basis. The paddy-husking machine, new methods of tempering steel, finding out a new brass alloy, paddy drying, soap-drying chamber, etc., are only a few to his credit He has shown that there are certain machines which can be made very cheaply and can be used successfully in developing some of the industries. Everybody is looking forward to the day when this section of the department will be able to fulfil its function in the industrial development of this country. It is perfectly known to the House that Bengal has an inexhaustible resource of raw materials and an ever expanding market. These being the facts we require more money for this department, and any money that is spent will not be spent uselessly. In this department I find the officers are doing good work. I have had opportunities to know Mr. Weston and I do say that we cannot have a better officer than him. His tact, energy, as also his work in the department in spite of the financial difficulties is a matter which should draw the admiration of all of us in this House. I certainly thank him for what he has done. In my opinion what this department requires is not reduction in the provisions made but a little more addition to the provisions. We are primarily an agricultural people depending upon jute and paddy and if one of them goes out we are in the midst of an economic distress. The only way to solve this problem for the vast millions of unemployed people is to build up certain institutions which will take up the work of industrial development on proper lines, and this is certainly the time when something should be found out to give them occupation. I have no doubt the Industries Department are doing their level best in this direction.

MUNINDRA DEB RAI MAHASAI: Sir, I beg to support the motion. My friend Mr. N. K. Basu has pointed out that out of the total grant of Rs. 7 lakhs and odd for industries Rs. 4 lakhs go to meet the permanent and temporary establishment charges and Rs. 2 lakhs for scholarships and for contributions to technical schools and the re-

maining Rs. 1 lakh has been provided for the development of home industries. Khan Bahadur Azizul Haque has challenged the figures but if the totals are added there will be little difference. I think I am justified in asking what value has the province got during these years for the maintenance of the costly establishment of the Industries Department? This top-heavy department requires thorough overhauling. It has miserably failed to justify its existence. The money has been ill-spent throughout. The whole responsibility for this huge waste of public funds rested with the Government. As a part of the machinery of Government the Minister is of course responsible to a certain extent. But whatever may be his failings I should like to congratulate him for his sincere efforts for the expansion of the activities of the Industries Department in the development of home industries. Handicapped as he is for want of funds much cannot be expected from him. I cannot but admire his cleverness in the art of inducing people to part with money even in these days of unprecedented financial stringency. In fact he has been able to raise a decent amount for furthering the objects he had in view.

Sir, I cannot but appreciate the schemes which he has formulated to relieve to some extent middle class unemployment in Bengal by arranging to send out to the countryside two jute-weaving parties, two wool-weaving parties, four umbrella-making parties, four brass and bell-metal demonstration parties, four cutlery demonstration parties, four potteryware manufacturing parties, four boot and shoe-making parties and four soap-making parties. This is undoubtedly a move in the right direction. All credit is due to him for what he proposes to do and I wish him every success in his honest endeavour to ameliorate the condition of the middle class unemployed men in Bengal. Although I seldom let slip any opportunity of criticising the actions of Government, yet I shall be failing in my duty if I do not appreciate and give the credit which is due to it. I should, however, like to point out that the provision that has been made for the purpose of industrial development of Bengal is too meagre and is not at all commensurate with the real needs of the people.

Mr. L. R. FAWCUS: After a careful examination of the speech of the Khan Bahadur and also after his scrutiny of the activities of the department, and the conclusions which he so eloquently drew from it, I feel there is very little indeed left for me to say. Two or three speakers yesterday drew attention to the fact that a large sum was paid as overhead charges on establishment from the budget of the Industries Department. But it has been a great pleasure to hear the spontaneous tributes which came from so many speakers to the value of the work that has been done, and is being done by the highly paid officers of the department. It is usually impossible to get a good man on a low pay. If you want to get a first class man you must pay him.

in proportion to his merits, and in a department like the Industries Department, which is really in the nature of a pioneer department, we feel that in the long run it would be poor economy to get second class men on low pay rather than good men, as we claim we have, on higher pay. Nevertheless, Sir, as the Retrenchment Committee did draw attention to certain items so far as our establishment budget is concerned, where the charges appeared unduly high, we have scrutinised this carefully, and we have found it possible to effect certain retrenchment in posts which are by no means low paid ones, and we are in the process of scrutinising the budget to see if it is possible to cut it down any further in this respect.

There is another point to which I would like to refer, and that is to what Mr. Narendra Kumar Basu said yesterday about the operation of the State-aid to Industries Act. We admit that it has taken some time before we are in a position to give State-aid, but I would remind him and all similar critics of what we actually have done since the Bill was passed into law.

First, the Bill was extended throughout the province by notification, and a strong Board of Industries was formed, of which the hon'ble member himself is a prominent member. We have succeeded through the generosity of private gentlemen in raising a respectable sum to begin its activities.

Mr. NARENDRA KUMAR BASU: Have you provided for any State-aid?

Mr. L. R. FAWCUS: I am just coming to that. Actually the Board has been constituted, and the first thing we have asked that Board to do is to frame a set of rules which will govern the manner in which this State aid, rather a complicated matter, is to be given. Those rules have recently been submitted to Government by the Board.

Mr. NARENDRA KUMAR BASU: About 4 months ago, in November last.

Mr. L. R. FAWCUS: The rules themselves are necessarily elaborate and in the pressure of Council work, it has been found difficult, in the various departments, to give them the full examination which certainly we feel they need. It must be remembered that these rules govern the distribution not only of State aid, but also of private funds which have been collected, and also to some extent provide for pledging State credit in the various ways which are provided for in the Act. In the

circumstances, it was right that these rules should be of an elaborate nature. The last rule was received, I think, not in November last, but about 3 weeks ago. We have been carefully examining them, and neither the Board nor we have failed in our duty in submitting them to sufficient scrutiny to make sure that the same thing does not happen in this province as has happened in other provinces, that is to say, that a certain amount of money invested in small enterprises has been lost to Government or to the people who put up the money.

I hope, therefore, in view of the explanation given, that the mover will not press the motion to a division.

The motion of Mr. Narendra Kumar Basu was then by leave of the House withdrawn.

Haji BADI AHMED CHOWDHURY: I beg to move that the demand of Rs. 1,19,000 under the head "35A—Industries (Transferred) —Direction" be reduced by Rs. 100 (to keep an establishment permanently to give industrial advice).

The member made a speech in Bengali, of which the following is a translation:—

In moving a cut of Rs. 100 from the demand of Rs. 1,19,000 of the Industries Department, I would like to press for the permanent posting of a party of industrial instructors in every district If that is not possible, let there be five such parties permanently posted in the five divisional headquarters in Bengal. I put forward this suggestion simply because under the existing arrangements the inhabitants of no district in Bengal can fully reap the advantages of these peripatetic schools which pay flying visits everywhere, staying in each place for a hopelessly short period. Then again, the present practice entails considerable loss of public money in the shape of travelling allowance. A party of these instructors came to Chittagong last year and gave instructions on leather industry. Hardly a month had passed when they were ordered to shift to some place in West Bengal. The efficient band of instructors did all they could, and it was also found that their instructions, if they were followed, would bring in large gain to the people but the period of their stay was very short—too short to allow people to take full advantage of their instructions. Then again, recently, four parties of instructors have been to Chittagong to teach weaving industry. One of these parties is holding classes at the Kalipur centre, but they have been ordered to leave Kalipur on the 31st March. They are giving instructions on weaving, dyeing, embroidery and carpet weaving. If they are not allowed to stay more than one month and a half at each centre, it will never be possible for them to give and for the learners to receive any satisfactory training

within the deplorably short space of time at their disposal. At the Kalipur centre nearly 100 students have come in for training. Most of the students have purchased at their own cost the requisite appliances. All these expenses incurred by them will be to no purpose whatever if the party of instructors move off on the 31st March after having imparted instructions for one month and a half only. The people of the locality would very much like the party to remain there for a further period of three months. Accordingly I wrote to the Director of Industries, but having failed to receive any reply from him I appealed to the Hon'ble Minister-in-charge. I am sorry I have yet to receive a satisfactory response. Hence I would propose that a party of instructors should be permanently posted at the headquarters of each division.

In the company of a few members of the Council, I paid a visit to the Pagladanga centre and we are quite satisfied with the work that is being done there, but it is not possible for the students of all the different districts in Bengal to come and have their training at this centre. Therefore, along with my proposal for the permanent posting of a party of industrial instructors at the headquarters of each division, I would suggest that such a party should be posted in Chittagong which is one of "the major ports" of Bengal.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: So far as I can make out, Sir, the intention of my Hon'ble friend is that a permanent establishment should be maintained to give industrial advice. If by this he means the permanent Government establishment, I would point out that the encouragement of indigenous industries of the province by means of technical advice and assistance whenever it is sought, is one of the main functions of the Government Department of Industries which contains a highly paid technical staff consisting of the Director and the experts, namely, the Industrial Engineer, the Industrial Chemist, the Superintendent of the Bengal Tanning Institute and the Superintendent of Textile Demonstration. Recently, also, we have sanctioned the employment of two Industrial Surveyors whose functions are not only to carry on a survey of the existing indigenous industries and to assist in the compilation of an Industrial Directory, but also to help in finding a market for the products of such industries as are in existence, or as may be started. Further, I would add that recently another organisation has been established, namely, the Board of Industries which is a representative body consisting mainly of business men, whose function would be not only to assist in the administration of the State-aid to Industries Act, but also to advise on all questions connected with the industrial development of the province. In the circumstances my friend will see that there is enough provision for giving such aid and advice as may be sought for.

As regards the demonstration parties which my friend wished should be retained in Chittagong, I may say that we have got a very small number of parties working, and they are in great demand. We cannot possibly keep them longer than 3 months in one particular district, but as soon as we have 28 demonstration parties ready, then the department will be in a position to send these parties out, and keep them for a longer period at each place. I hope, after this explanation, my friend will withdraw his motion.

The motion of Haji Badi Ahmed Chowdhury was then by leave of the House withdrawn.

Maulvi HASSAN ALI: Sir, I beg to move that the demand of Rs. 1,97,000 under the head "35A—Industries (Transferred)—Industrial development" be reduced by Rs. 100 (to raise a discussion on the necessity of the development of Home Industries, particularly to organise the weavers of the country on a co-operative basis).

Sir, the time at my disposal is very short; therefore, I do not wish to make a long speech. By this motion I wish to urge upon the Government that I want to seek to develop the industries, specially weaving industry, and to create industrial habits in my countrymen through the agency of the co-operative movement. The co-operative credit societies have done and are doing and will do in future, I believe, immense good to the agricultural people. There is no reason to think that it cannot do much also in respect of home industries such as weaving. I do not think that a separate scheme of co-operation with regard to the home industries should be taken. Home industries are meant for the same agricultural people for whom the co-operative loan societies are meant. The cultivators in our country for six months in the year sit idle or spend their time by paying visits to *kutumba baris* or relatives' homes.

I, therefore, would suggest the idea of an industrial co-operative institution to be run as an integral part of every co-operative society now in existence in the country.

Besides that, Sir, the number of purely industrial co-operative societies such as weaving societies should be increased. This is not all. In these days of competition, unless markets for sale of co-operative goods are created for the co-operators, it is impossible that they will be able to hold their own.

The Hon'ble Nawab K. G. M. FAROQUI, Khan Bahadur: Sir, the development of home industries is one of the recognised functions of the Co-operative Department, and in such development special attention is devoted to the organisation of the operations on a co-operative basis. It is already the accepted policy of Government that such industries can best be developed on co-operative lines. That this is so——

(The time allotted to Industries having been reached, the Hon'ble Minister resumed his seat.)

The motion of Maulvi Hassan Ali was then put and lost.

The original demand under the head "35—Industries" was then put and agreed to.

DEMAND FOR GRANT.

37—Miscellaneous Departments.

The Hon'ble Mr. J. A. WOODHEAD: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,99,000 be granted for expenditure under the head "37—Miscellaneous Departments."

MUNINDRA DEB RAI MAHASAI: Sir, I beg to move that the demand of Rs. 450 under the head "37B—Provincial statistics—Registration of births, deaths and marriages" be reduced by Rs. 5 (to raise a discussion on the necessity of maintaining a register of unemployed)."

The object of my motion is to urge the necessity of maintaining a register of unemployed. Thousands and thousands of our young men are coming out of the University year after year and are helping to swell the ranks of the unemployed. Statistical figures are necessary to find out the increase or decrease in their number. If a register is kept as is done in births or deaths correct statistics will always be available at a nominal cost. In all civilized countries such registers are kept and doles are provided for those who need State help for their subsistence. The solution of the unemployment problem is taken up in the West as an item of political programme during elections. Conditions which prevail here may be different from other industrial countries but that need not stand in the way of opening a register of the unemployed among the educated middle men who form the backbone of the structure upon which rests the whole social organism of the country.

Mr. W. L. ARMSTRONG: I beg to move that the demand of Rs. 31,500 under the head "37D—Smoke Nuisances Commission" be refused.

I will deliver only a brief speech as the time at our disposal is short. This Department of Smoke Nuisances should I think come under the Public Health Department. To have a separate department simply means duplication of officials, commissioners and extra cost to the province. The powers of the Smoke Nuisance Department are very weak. They criticise the smoke coming out of high chimneys but they cannot

do anything with regard to the smoke coming out of the bustees. Good smoke does not generally give good smell and bad smoke does not generally give bad smell; but the reverse may be the case. The department moreover seems rather to be superfluous as the real object for which it was created was, I think, to improve the health of the province. I do not want to linger on this point, but I think it would be more economical if it were brought under the Public Health Department.

Mr. PRESIDENT: But if you refuse the grant altogether how can it be brought under the Public Health Department at all?

Mr. W. L. ARMSTRONG: I am killing it only for one year.

Mr. PRESIDENT: You should have really moved a token cut to draw the attention of Government to the matter.

Mr. L. R. FAWCUS: It was with some surprise that I heard that a cut in the expenditure of the Registrar of Births, Deaths and Marriages in this province was being advocated with a view to draw the attention of the Council to the unemployment problem in Bengal. Potentially I suppose death may be said to diminish unemployment just as possibly marriages and certainly births might potentially be said to increase it. But that, however, I take it, was not the intention of the mover. Therefore I shall confine myself to stating very briefly what actually took place some years ago when the question of a bureau or register of unemployment was raised. The Agriculture and Industries Department in 1924 constituted a committee to enquire into the unemployment problem in Bengal and one of the recommendations of that committee, as far as I remember, was that an unemployment bureau should be formed by Government in conjunction with certain public bodies. The Board of Apprenticeship Training was one, the others were, I think, the Universities of Dacca and Calcutta and the Anglo-Indian Employment Committee, the idea being that they should get together and that some sort of register as proposed by the mover should be brought into effect. The scheme was very carefully considered by Government but it was turned down on the ground that even if this register or bureau was constituted there was no guarantee that employers would ever come to it when they wanted employees. What happens in practice is that when there is a post at anybody's disposal he gives it to the person whom he himself knows to be best qualified for it or to a person who is similarly known to some of his friends or to members of his office staff. It was therefore considered that even if we had founded such a bureau nobody would come to it, but that it would involve a considerable waste of money and would also be hard on those unfortunate people who were asked to register their names in the bureau, because there was hardly any likelihood of their getting any employment through such a

bureau. That was the practical point of view taken at that time and as far as I know those conditions hold equally good to-day. For all these reasons therefore Government are not in a position to open a register such as is advocated by the mover.

The motion of Munindra Deb Rai Mahasai was then by leave of the House withdrawn.

The Hon'ble Mr. J. A. WOODHEAD: Mr. Armstrong wishes to abolish the Smoke Nuisance Department or rather wishes to refuse the total demand for that department with the object of transferring it to the Public Health Department. That I suggest is not the best way to effect the transfer he has in view; having killed the department it may be difficult to bring it to life again. Domestic smoke is admittedly a nuisance in Calcutta and is dangerous to the health of the people residing in those areas in which a large quantity of such smoke exists. The Smoke Nuisance Commission has however paid considerable attention to domestic smoke and has adopted all the measures they could to mitigate it. They have given instructions as regards the best method of lighting a soft coke fire in order to reduce to a minimum the amount of smoke produced and they have also advocated the more extensive use of gas for the purpose of domestic cooking and domestic lighting. In 1927 they were responsible for a meeting between the Corporation and the Gas Company—I am quoting from the report of 1931—which has resulted in the Gas Company being able to turn over to "heating" gas as opposed to "lighting" gas. "Heating" gas is cheaper than "lighting" gas and if "heating" gas is available the use of gas for cooking purposes will be more extensive than with the present more expensive "lighting" gas. Sir, I would seriously suggest that the best way of ensuring what Mr. Armstrong wishes—a reduction in domestic smoke—is not to refuse in toto the demand for this department, which has certainly done good work in the past and will, I hope, continue to do good work in the future.

Mr. W. L. ARMSTRONG: I beg leave to withdraw my motion.

The motion was then, by leave of the house, withdrawn.

MUNINDRA DEB RAI MAHASAI: Sir, I beg to move that the demand of Rs. 16,000 under the head "37D—Miscellaneous—Contribution to the Imperial Library" be reduced by Re. 1 (inadequacy of the grant).

The object of my motion is to draw attention to the undesirability of reducing the contribution to the Imperial Library by Rs. 4,000. Sir, the removal of the Imperial Library from Calcutta to the Imperial Capital of Delhi was a settled fact only a few years ago. We raised a

storm of opposition against its removal and at last good sense prevailed and the settled fact was unsettled. At that time the Government of Bengal agreed to contribute Rs. 20,000 to the Imperial Library. On the last occasion when 10 per cent. cuts on all Government departments were made, the contribution to the Imperial Library was also subjected to a cut of 10 per cent. This cut has handicapped the purchase of books. The Imperial Library cannot afford to buy books and periodicals worth more than Rs. 8,000 in all per annum. This is a ridiculously low amount to cater to the needs of the city. Even in these years of financial stringency the Madras University Library purchased books worth over Rs. 40,000 and Rs. 3 lakhs is being spent over its new library building. But, Sir, for the purchase of books the Imperial Library cannot afford to spend more than Rs. 8,000, i.e., one-fifth of the amount provided for the Madras University Library.

(The time limit for this demand having been reached the member resumed his seat.)

The motion was put and lost.

The main demand under the head "37—Miscellaneous Departments" was then put and agreed to.

DEMAND FOR GRANT.

41 and 60—Civil Works.

The Hon'ble Nawab K. C. M. FAROQUI, Khan Bahadur: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 70,41,000 be granted for expenditure under the heads "41—Civil Works" and "60—Civil Works not charged to Revenue."

It will appear from the budget estimates for 1932-33 that the estimated expenditure for voted items inclusive of establishment charges was Rs. 75,18,000 while the revised for that year has been reduced to Rs. 67,75,000. The amount, namely, Rs. 70,41,000 which the Council is now asked to vote, shows an increase of Rs. 2,66,000 compared with the revised estimate, which is due to the extra provision of Rs. 5,00,000 made under Grants-in-aid from the surplus revenue derived from the Motor Vehicles Tax Act to be distributed to the local bodies and to the reduced provisions to the extent of Rs. 2,34,000 made under other heads in the next year's budgets.

Under the head "Original Works—Civil Buildings," it is proposed to spend Rs. 17,500 on works for reserved subjects, and Rs. 2,70,626 on works for transferred subjects. The items of works are specified in the Civil Works Budgets circulated to the members of the Council.

The amounts provided for reserve for minor works under the various departments are intended for works costing small amounts in connection with buildings occupied by the various departments. These works are generally within the power of sanction of the respective heads of departments.

For Communications, no provision has been made under "Reserved," while Rs. 10,43,146 which includes Rs. 8,63,500 for Road Development Fund works, have been provided under "Transferred." The items of works have been detailed in the budgets.

Under the head "Repairs," Rs. 3,17,000 is provided for Reserved departments and Rs. 33,86,000 for Transferred departments as compared respectively with the revised estimate of Rs. 3,04,000 and Rs. 32,69,000. The apparent decrease in the revised estimate is due to the fact that expenditure on repairs had to be curtailed to a great extent in order to find funds for the additional expenditure on works in connection with special jails, detention camps, protective works, etc. A slight increase over the revised estimate has, therefore, been made in our demand for next year to enable the Public Works Department to keep the buildings wind and water tight and the roads in proper repair.

Under the head "Establishment—Voted" excluding "English cost of establishment" the ensuing year's estimate has been placed at Rs. 11,98,250 as against the revised estimate of Rs. 11,40,100. The increase of Rs. 58,150 is due to the extra provisions of Rs. 46,000 on account of the proposed restoration of 5 per cent. of the cut from April 1933, and of Rs. 21,000 on account of less recovery anticipated in 1933-34, and to the reduced provision of Rs. 8,850 under other details.

For Tools and plant, Rs. 2,000 and Rs. 50,000 have been provided under the heads "Reserved" and "Transferred" respectively against Rs. 2,000 and Rs. 62,000 in the revised estimate. A sum of Rs. 5,100 has been provided under "Suspense" as shown in part V of the 41—Civil Works.

Under Grant-in-aid, a voted provision of Rs. 7,51,941 has been made against Rs. 2,50,000 in the revised estimate for the current year. The increase is due to provision of Rs. 5,00,000 for distribution to local bodies out of the amount collected under the Motor Vehicles Tax Act. The details will be found in part VI of the Provincial Civil Works budget.

It will not be out of place, Sir, to give here a short narrative of the steps taken by this department during the past few months in the way of retrenchment both as a result of the Retrenchment Committee's recommendations and also of our own initiative. Before the receipt of the Committee's Report, we had closed two Public Works Department sections, seven subdivisions and two divisions, resulting in a saving of

Rs. 80,500 per year. The Retrenchment Committee's Report has also been very carefully examined in this department and it is expected that the decisions so far arrived at will result in an annual saving of Rs. 65,691. I will not dilate on the details of the several items of retrenchment but may state briefly that the proposals comprise economies in respect of the hill exodus by Chief Engineer, abolition of the Plumbing Branch, one post of Architect, Public Works Department dispensaries, abolition or reduction of the special pay of certain officers, reduction of rent of hired buildings, etc. A few of these items are, however, subject to the sanction of the Secretary of State. The total anticipated saving would thus amount to about Rs. 1,46,200 a year.

Besides this, two additional economies of Rs. 17,000 and Rs. 1,52,000 (total Rs. 1,69,400) have been effected in expenditure for the year 1932-33 by curtailment of the cost of "Temporary establishment" and "Repairs" respectively.

MUNINDRA DEB RAI MAHASAI: Sir, I beg to move that the demand of Rs. 8,74,100 under the head "41A—Civil Works (Transferred)—Communications" be reduced by Rs. 100 (to urge the necessity of construction of roads in Arambagh and for metalling the Tribeni-Kalna Road).

The subdivision of Arambagh in my district is one of the most out of the way places in Bengal. There is practically no road from the headquarters to Arambagh or from Calcutta. It is difficult of access. Members of Arambagh have to keep apart 3 days for attending meetings of the District Board at Chinsurah although the journey can be covered by a little over 3 hours had there been any means of communication from Chinsurah to Arambagh. About a dozen rivers, rivulets and *khals* make the place more inaccessible. The District Board of Hooghly with its limited resources recently called a meeting of the Board at Arambagh and tried to make an experiment by the repair of *kutcha* roads where they existed and by the construction of *kutcha* roads and bamboo bridges over some *khals* from Tarakeswar to Arambagh, a distance of only 18½ miles. Although the road thus made was rough and had steep inclines up and down while crossing rivers or rivulets, the journey from Tarakeswar to Arambagh has been accomplished within a couple of hours by motor car. Now if a *pucca* road be constructed with bridges over the rivers, it will not only improve the means of communication with the headquarters and Calcutta but internal trade is bound to improve.

There are still in existence two inter-district roads in Arambagh though in a state of disrepair—they are the *badshahi* Burdwan-Midnapore road and the old Nagpore road. They were broad roads 25 feet in width. Partly through sheer neglect and indifference and partly for the Damodar floods these two unmetalled roads have been washed away

in places and are much cut up by water channels. The surface is composed of sticky earth and are hardly passable during the rains. Let me quote a few words from the Hooghly District Gazetteer to show the condition of the Arambagh roads: "The worst roads, however, are those lying in thanas Arambagh and Khanakul, which are not only intersected by numerous channels but also exposed to the annual floods of the Damodar. Hence for half the year, wheeled traffic is next to impossible; the roads are fewer in number than elsewhere; and their upkeep is most costly." This was about 20 years ago and the state of things still continues. In our recent excursions to Gar Mandaran, Kamarpuker, Goghat and Badargunj we came across the two ancient roads which I have just mentioned—the badshahi road and the old Nagpore road which were considered as important military routes during Moghul rule. The Road Board it is understood will take up the portion of the road from Burdwan to Arambagh but there is no knowing when they will take it up. I hope steps will be taken to expedite it. I should like to ask Government to make a substantial contribution for the construction of the Tarakeswar-Arambagh road, a distance of only 18½ miles and also for the construction of other roads in Arambagh which are badly wanted. The District Board is willing to undertake the construction and metalling of these roads but their funds are too limited for the purpose. This is a fit case for special consideration by Government.

Another inter-district road deserves careful consideration from the Road Development Board. I mean the Hooghly-Kalna road. This is a part of the old Murshidabad road. It is a *kutcha* road from Tribeni to Kalna on the west bank of the river Hooghly. It was much used in pre-railway days by troops and travellers going to Nadia, Murshidabad and Monghyr. It is much used for cart traffic and if the *kutcha* road be made an up-to-date road it will open up a large track of the country for motor traffic which is badly needed for the development of the countryside. The bridge over the Saraswati at Tribeni has been condemned and all vehicular traffic over it has been stopped. The construction of a new bridge is under consideration. Both the Hooghly District Board and the Bansberia municipality have applied for loans to Government for the construction of a new reinforced concrete bridge over the Saraswati. I hope Government will see their way to grant the loans asked for and facilitate the work of construction.

(Here the Council was adjourned for 15 minutes for prayer.)

(After adjournment.)

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I have listened to the long tale of woe which has been given to this House by the hon'ble mover of the motion. I may submit, Sir, that I am personally familiar with the history that has just been narrated by the Rai Mahasai. As regards Arambagh, the improvement of Burdwan-Arambagh road is one of the projects included in the 5-year programme of

the Provincial Road Board. It was sanctioned by the Government of India and the expenditure that is going to be incurred on this portion of the road is Rs. 5 lakhs. The total expenditure that would be necessary for improving the whole length of the Burdwan-Arambagh road, namely, from the south bank of Damodar to Arambagh will be nearly Rs. 10 lakhs. It was decided on the recommendation of the regional sub-committee of Burdwan and Hooghly districts that only the Burdwan portion of the Burdwan-Arambagh road should be taken up at present. The estimates are being prepared and we are awaiting detailed estimates from the District Engineers of Burdwan and Hooghly. There are certain modifications of the waterways suggested, I believe, by the District Engineer of Burdwan and they have been accepted with the consent of the Irrigation Department. Now we are awaiting the final estimate to be submitted by these two District Engineers and as soon as these estimates are received the work would be taken in hand. I may inform the House that we propose to spend about a lakh of rupees, if possible, during the next year on the improvement of this road. As regards the Tarakeswar-Arambagh road, I wish that it were possible for the Road Board to take it up as suggested by the hon'ble mover, but I would remind him of the difficulties of having a bridge on the Damodar; it would cost a mint of money. Naturally the Road Board did not think it advisable to include it in the 5-year programme or in the programme of the near future. Then he mentioned some other roads. They were of great importance at one time, but none of them at present is of provincial importance. The Road Board fund can be spent only on roads which are of provincial importance or are inter-district roads. I regret to say that there is no immediate prospect of Government agreeing to take up any of these roads as suggested by the Rai Mahasai. As regards metalling the Tribeni road, this is the first time that the proposal has been brought to the notice of Government. It is a District Board road and I believe it is the normal duty of the District Board to maintain it in a proper state of repair. Here also I may inform the mover that there is no immediate prospect of Government agreeing to it, as it is not considered to be of sufficient importance by the Road Board. With these few words I request the mover to withdraw the motion.

The motion of Munindra Deb Rai Mahasai was then, by leave of the House, withdrawn.

Haji BADI AHMED CHOWDHURY moved that the demand of Rs. 14,24,250 under the head "41—Civil Works—Establishment" be reduced by Rs. 100 (to draw attention to the necessity for sanctioning a plot of land for prayer house for Mussalmans in the adjoining vacant place of Chittagong Court Hill and the Civil Surgeon's Bungalow Hill, west of Registration offices).

He addressed the Council in Bengali. The following is a translation of his speech:—

In moving a cut of Rs. 100 from the demand of Rs. 14,24,250 for the Civil Works—Establishment I would like to press for the sanction of a plot of land near the Chittagong kutchery hill in order to enable the Muhammadan Court officials, pleaders and their clients to say their prayers. Chittagong has a much larger Moslem population than any other district in Bengal, nay, in India. They are also more religious-minded than their co-religionists elsewhere and so, they say prayers, observe fast, etc., in greater numbers. It is due to the strong influence of Islam over Chittagong that the district is also known as "Islamabad."

Almost all the kutcheries at Chittagong are clubbed together in one building at the top of the highest hill. Hence all those Muhammadans who attend courts have to perform Nemaj on the kutchery hill. For this purpose Government have kindly set apart two of the rooms in the building.

Friday, being the Jumma day, all have to perform their Nemaj together at one and the same hour. As the two rooms spoken of above are insufficient for the purpose, a large number of men are compelled to say their prayers in some open space outside. In view of the fact that nobody is permitted by religion to move a single step while saying his Nemaj, one can easily imagine the sad plight of these people during the summer and the rainy seasons.

Government say that there are mosques near the kutchery hill. These mosques, however, are about half a mile off. The time allowed for performing the Jumma Nemaj is too short for any one to go to these mosques and come back in time. Moreover, it is practically impossible for the aged people and respectable gentlemen to reach these mosques without any suitable conveyance. But this is at once expensive and impracticable, because the supply of conveyances is not sufficient to meet the heavy demand for them.

The Moslems of Chittagong are religious and loyal subjects of His Majesty the King-Emperor. Also, no community other than Moslems have to observe strict punctuality with regard to the time for prayer. Hence, there can be no objection from any quarter whatever if a plot of land is set apart to enable Moslems to say their prayers.

From the political point of view it is now considered proper not to allow any crowd to gather near the courts and this purpose will be admirably served if the plot of land referred to is made use of in the way indicated by me.

The plot of land which is R. S. No. 2333 cannot be taken to be included in the court compound because it is situated in the vacant land between the kutchery hill and the hill on which the civil surgeon's bungalow is situated. Even supposing that the entire oasis of hills

constitutes the boundary of the court compound, there can be no objection to making over to the Muhammadans this plot of land in view of the fact that there are other offices, school, factory buildings within this area.

The Moslem Association which is recognized by Government is prepared to take over this plot of land under any conditions that Government may be pleased to propose.

On 1st August, 1932, Maulvi Tamijuddin Khan brought forward a motion to the effect that Government should arrange for plots of land for Moslem prayer houses in order to enable the court-going Moslem to have facilities to perform their Nemaj at the proper time. Into this motion I incorporated a few lines making out a case for Chittagong. The motion was agreed to, but Government have not yet made over the plot of land to the Moslem Association of Chittagong as required by the motion. I petitioned the Hon'ble Minister-in-charge on this subject but have received no reply as yet.

I, therefore, hope that this motion of mine for making over a plot of land to the Muhammadans of Chittagong for saying their prayers during court hours, will be accepted by Government.

Mr. L. R. FAWCUS: Sir, the mover of this motion, I think, knows the general position with regard to the areas set apart for prayer houses which has been stated on the floor of this House not once but on several occasions. Outside the court compound Government has expressed its willingness to grant such land as may be in its hand either in the nature of *khas mahal* land or Public Works Department land on reasonable terms for the erection of prayer houses. Inside the court compound, however, it is different. It may be necessary to extend the court buildings some time or other and it would create great difficulty if a prayer house is erected in the immediate vicinity of the court. Also, if one community gets permission to erect a prayer house there, it would be very difficult to deny the same privilege to other communities if they ask for it. For these reasons Government has as a rule refused any request to erect prayer houses in court compounds. But in this particular case, as the mover has said, the condition in Chittagong is different. The courts are situated on a steep hill and, as the mover says, it is difficult for people to go down the hill to the mosques of which there are three in the vicinity. So, he has suggested that a piece of land which is technically within the ambit of the court compound, i.e., on the slope of the hill——

Haji BADI AHMED CHOWDHURY: It is not within the court compound.

Mr. L. R. FAWCUS: I believe it is within the court compound, but I am not quite sure. In any case what he asks for is a piece of land

which is considerably removed from the neighbourhood of the court itself. This request has only been put forward within the last few days, and at the request of the Hon'ble Minister it has been sent to the Commissioner of the Division with the request to see if, without violating any of the principles which have been observed with regard to the allocation of lands in court compounds, it may be possible to meet the mover's wishes. On receipt of the reply we can promise that we shall give his request full consideration. With this assurance I hope the mover will withdraw his motion.

The motion of Haji Badi Ahmed Chowdhury was then, by leave of the House, withdrawn.

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that the demand of Rs. 7,52,000 under the head "41A—Civil Works—Grants-in-aid" be reduced by Rs. 100 (to raise a discussion on the smallness of the grant to the local bodies out of the motor vehicles tax).

Sir, at the time when I tabled this motion I had a suspicion that perhaps all the money that had been realised out of the motor vehicles tax was not going to be utilised for the development of the roads of the province. But I understand from one of the speeches of the Hon'ble Minister in charge of Local Self-Government that Government has no such intention. Nevertheless I wish to point out that last year according to the revised estimate Rs. 10 lakhs were realised from the motor vehicles tax, and out of that, only Rs. 4,50,000 has been given to the Calcutta Corporation and the balance remains unspent. We expect to get another Rs. 16 lakhs according to the budget estimates for 1933-34, out of which Rs. 4½ lakhs has to be given to the Calcutta Corporation. Rs. 11½ lakhs would thus be in the hands of Government during the ensuing year. The only provision out of it is the provision of Rs. 5 lakhs for distribution to local bodies. We do not know any details of this. There will be a considerable surplus in the hands of Government after this Rs. 5 lakhs is spent. All that we have got on page 99 of the red book is that in the ensuing year Rs. 5 lakhs is provided for distribution to local bodies. That is all that we have been informed of. Now I should like to know what is going to be done with regard to this fund, and why only Rs. 5 lakhs is set apart for this purpose. It is quite possible as the Hon'ble Minister told this House that the scheme for the distribution of the fund has not yet been worked out, although it is high time that the Hon'ble Minister set himself to the task of finding out the formula according to which the distribution is to be made. Why he has not done so I do not know. It is quite possible that local bodies may not have been very forward with their schemes and with their demand. Still it is nothing surprising for our local bodies are famous for not utilising grants which have been made to them. The most

notable instance was the non-utilisation of the primary education grant made by the Government of India in the pre-reform days. If that is the position it is up to the Government to whip up local bodies and call upon them to submit their proposals as soon as possible.

Khan Bahadur Maulvi AZIZUL HAQUE: They cannot give reply in 7 days.

Dr. NARESH CHANDRA SEN GUPTA: I could not exactly catch what Khan Bahadur Azizul Haque said. I think the district boards have had plenty of time. The district boards have had trouble with their roads for many years past and they ought to know exactly by now what they want. So, it is not impossible for them to roughly estimate the requirements for which they want money badly. If the Government whips up the district boards and municipalities, schemes will be forthcoming very soon and we should have a full scheme for the entire amount that has been realised. I do not find any justification for a budget grant of Rs. 5 lakhs only when the total amount at our disposal for the purposes is estimated to be not less than Rs. 23 lakhs, unless it was done at the instance of the Finance Department in order to make a better show by reducing the deficit of revenue. It has been noticed in this House that all these earmarked funds which are in the hands of the Government have been shown as part of the general revenues, and if these were taken out the deficit shown in the budget would be considerably greater, as I pointed out, in my speech on the general discussion of the budget. I was reassured that this money was not going to be misappropriated by the Government, but I would ask them to be prompt in the application of the funds to the purpose for which they are intended.

Khan Bahadur Maulvi AZIZUL HAQUE: I will only take half a minute of your time, and I will just say that this is in reply to the statement which the Hon'ble Minister made as regards the activities of local bodies. I do not think that the Hon'ble Minister was serious or is so even now when he says that it was not possible to get replies from local self-government bodies in seven years. But, personally, being connected with district boards, municipalities and other local institutions, I repudiate it. I can assure the members of this House that district boards certainly take less time to consider a matter than sometimes it is taken by the Treasury benches.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The hon'ble mover's objection is that while we have made a collection of Rs. 11 lakhs, we have made a provision of Rs. 5 lakhs only for distribution next year. Of course, we did not expect that we would receive in time the information that we have asked for at the instance of the

Provincial Road Board from the local bodies, but I am glad to inform the House that we have since then received many, but not all, and at the meeting of the Provincial Road Board, held on the 24th last, we decided the principle on which the distribution should be made. Sir, the informations that we asked for were generally these. We tried to find out from the other provinces on what principle they distributed the motor vehicles tax to the local bodies, and also we wanted to find out from the different district boards and municipalities the mileage of roads, both *kutcha* and *pucca*, maintained by each, and the amount spent by each on such maintenance. We have received replies from the different provinces, and I understand that in Madras under the Motor Vehicles Tax Act they distribute the proceeds on principles, that is, they try to pay on the basis of the actual collection that might have been made by these district boards and municipalities if they had powers to impose such taxes, and if they were not superseded by the Provincial Act.

Dr. NARESH CHANDRA SEN GUPTA: But that is unfair.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: May be, that is a matter of opinion. I am told by Dr. Sen Gupta that district boards and municipalities are going to be gainers by this unfair method, which is unfair according to him. The Government of Bihar and Orissa on the other hand distribute the proceeds on the mileage basis, and on the actual expenditure incurred by these local bodies in maintaining these roads. Out of the total amount, 60 per cent. is given to district boards, 15 per cent. to municipalities, and 25 per cent. is retained by the Local Government. The Provincial Road Board here, Sir, accepted the same principle, that is, 60 per cent. should be paid to district boards, 15 per cent. to municipalities and I may mention incidentally that this is approximately the proportion of expenditure incurred by district boards and municipalities in maintaining their mileage of roads. Of the 25 per cent. to be retained by the Local Government, a portion will be spent on roads round about Calcutta, because the major portion of the tax is collected in Calcutta. So, in the interests of the motorists of Calcutta, it is only fair that a good portion of it should be spent on roads which lead to Calcutta or radiate from Calcutta, but are not within the limits of the Calcutta Municipality. On this principle, it was also agreed to by the Road Board that there should be an annual contribution of Rs. 50,000 for the next six years towards the maintenance of the present Howrah Bridge which is in a dilapidated condition, and also for the construction of the new Howrah Bridge on condition that the provisions of the Howrah Bridge Act which entitles the Commissioners of the Howrah Bridge to impose taxation on vehicular traffic in and round about Calcutta should not be exercised. This is the advice of the Provincial Road Board to

Government which may or may not be acceptable to them. The Provincial Road Board have not yet received any assurance on this point from the Commerce Department or from the Bridge Commissioners.

So, the basis of distribution has been settled now, and the actual distribution remains to be done, and this can only be done, Sir, when we find out the mileage of roads maintained by district boards and municipalities, and as soon as calculations can be settled, we propose to distribute the amount that has already been collected.

I hope this will satisfy the hon'ble mover, and he will withdraw his motion.

Dr. NARESH CHANDRA SEN GUPTA: What is going to be done with regard to Rs. 11,50,000 saved this year?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The amount will be distributed to the local bodies, and no attempt will be made, I can assure the mover, to augment the resources of the provincial Government out of the proceeds of the motor vehicles tax.

(The time limit for this demand having been reached the motion of Dr. Naresh Chandra Sen Gupta was put and lost.)

The main demand under the head "41 and 60—Civil Works" was then put and agreed to.

(At this stage, the allotted time in connection with Demands for Grants as a whole was reached.)

The following motions were, therefore, put and agreed to:—

That a sum of Rs. 56,000 be granted for expenditure under the head "43—Famine Relief."

That a sum of Rs. 55,26,000 be granted for expenditure under the heads "45—Superannuation allowances and pensions" and "60B—Commuted value of pensions not charged to revenue."

That a sum of Rs. 20,37,000 be granted for expenditure under the head "46—Stationery and Printing."

That a sum of Rs. 16,75,000 be granted for expenditure under the head "47—Miscellaneous."

That a sum of Rs. 6,42,000 be granted for expenditure under the head "Expenditure in England."

That a sum of Rs. 12,02,000 be granted for expenditure under the head "Loans and Advances."

That a sum of Rs. 1,41,000 be granted for expenditure under the head "Depreciation Fund—Government presses."

SUPPLEMENTARY DEMANDS.

47—Miscellaneous.

The Hon'ble Mr. J. A. WOODHEAD: I beg to move that a sum of Rs. 50,000 be granted for expenditure under the head "47—Miscellaneous—Miscellaneous and unforeseen charges" to meet the cost of the military forces stationed at Chittagong and at other places in Bengal.

I have nothing to add to the memorandum which has been circulated and is in the hands of the members.

Maulvi HASSAN ALI: I beg to move that the demand of Rs. 50,000 under the head "47—Miscellaneous—Miscellaneous and unforeseen charges to meet the cost of the military forces stationed at Chittagong and at other places in Bengal" be reduced by Rs. 100 (to protest against the shooting of two Muslim villagers on the night of the 7th March, 1933, at Bongaon in Razan thana in the district of Chittagong).

Sir, the object of my tabling this motion is obvious from the reasons stated in the motion itself. I have no soft corner in my heart for agitators and terrorists in the land; rather I regard terrorists and terrorist crimes as great enemies to the country's cause. Terrorists in my opinion are really enemies to nationalism in India; but nevertheless I must say that the Government and its officers have no right in any way to take the lives of innocent persons. Sir, the incident at Chittagong is an instance in point. It is briefly this.

The military were in search of some absconding terrorists on the night of the 7th March last. They came across two persons under suspicious circumstances, who failing to halt when challenged by the patrol party on duty were shot down by the latter who believed them to be absconders attempting to escape. It was too late when the mistake was discovered; it appeared that the patrol party fired to kill the two innocent persons. Sir, we are very often told in this House, when legislation with regard to the suppression of terrorist crimes was passed, that the utmost care would be taken by the authorities at the time of enforcing the provisions of the Acts. I ask the Government what sort of care was taken by these officers when this tragedy took place. These persons appeared to the patrol party to be suspicious but I ask Government what were the circumstances which caused this suspicion in the minds of the persons who fired at and killed them; because suspicion is a thing which is very often more subjective than objective. Therefore I ask what were the circumstances which produced this state of mind in the military officers who fired the shots. It may be said that they were challenged to halt and they did not halt and therefore they were fired at and killed. But is it not a fact that innocent villagers like these two men were to be naturally supposed

to be ignorant of the rules of challenge? From press reports it appears that the District Magistrate held an inquiry into the matter the following day and he was kind enough to issue rules of challenge directing the people to halt when challenged but, Sir, to my mind the wonder of all wonders is that the rules were not issued beforehand, but more wonderful still is the fact that the military forces at Chittagong who are not newly stationed there—should not have known them or should not have been alive to the necessity of such rules being announced to the people. Sir, Chittagong has been the hotbed of the troops for a very long time and I therefore challenge the Government to tell us why the rules of challenge were not issued beforehand to the military. Sir, there are mistakes and mistakes, but am I to understand that mistakes of killing men in cold blood are mistakes of fact or mistakes of law or of what? Am I not entitled to say that the killing of these two innocent persons, who were also innocent of any rules whatsoever of challenge and halting by the military forces and the patrol party, was culpable negligence in discharging their duty and am I not right if I hold that these officers were guilty of culpable homicide? I want to know what were the circumstances which impelled this patrol party to commit such a grave mistake, if mistake it can be at all called. With these few words I do protest against such indiscriminate killing of the two persons at Chittagong.

Mr. SHANTI SHEKHARESWAR RAY: I support the motion moved by my friend Maulvi Hassan Ali. It is very difficult to speak in the language of moderation on such a matter. Sir, some time ago the Hon'ble Mr. Prentice was pleased to state on the floor of this House that hunting of terrorists was a part of the duty of the police and also the duty of men of his department. In that case I fail to understand why the troops have been employed in doing this sort of police work. Sir, when the troops were sent to this province we were given to understand that they would have the effect of giving courage to the people of the province as well as to Government servants. They were not certainly sent here to find out terrorists hiding in the districts!

Mr. PRESIDENT: Are these your introductory remarks or what?

Mr. SHANTI SHEKHARESWAR RAY: No, Sir, I am speaking against the policy adopted——

Mr. PRESIDENT: The motion has been very much narrowed down by the mover's statement of reasons. It is, in fact, confined to a specific incident.

Mr. SHANTI SHEKHARESWAR RAY: I am leading up to that, Sir.

Mr. PRESIDENT: I do not object to your making any introductory remarks which you may think fit to make; but I must tell

you that the specific issue before the House is a particular incident and I want you not to go beyond the limits of that incident.

Mr. SHANTI SHEKHARESWAR RAY: I shall confine myself to the motion under discussion, Sir. What I suggest is that Government should at once change their policy of sending out these military parties to hunt out terrorists. If they do not do so, mistakes of this nature are likely to happen and apart from the regrettable nature of such an incident itself, it is likely to have far reaching effects. It will bring the troops into contempt; it will create a feeling of bitterness against the troops in the mind of the people and the whole effect that Government intended to produce by bringing these troops to Bengal will be frustrated. We do not want to look upon these troops as an engine of oppression like the police forces in this province. Sir, we have been often criticising the atrocious activities of the police and I pray that Government should not bring in His Majesty's troops to similar discredit in the country. It has been stated in high quarters that the people of Bengal will be sorry when the troops withdraw from the province. I hope, Sir, that the people of Bengal will be really sorry when the troops will be removed but if they go on shooting in this fashion, the feeling of the people will be that the sooner they are away the better. As regards this particular instance so far as I have been able to gather, there was certainly no justification for the shooting. What happened is this: certain villagers were going about in the pursuit of their ordinary business and the military party perhaps with very little local knowledge thought that they were terrorists—I do not know how such an idea got into their heads—and they began to pursue the villagers. One should have thought that it would be quite natural especially in a *mufassal* place like this village that the villagers should get frightened and try to run away if they were not terrorists. But if they were terrorists perhaps they would have turned round and fired a shot or two at the military party. They did nothing of the kind and ran away as any other villager would run away. Obviously under such circumstances at least the leader of the military patrol party ought to have had sufficient intelligence to realise that the persons who were running away were not terrorists and he could have easily got the help of the local villagers to stop them and ascertain why they were running away; but he did nothing of the kind, and they shot and shot effectively and killed these innocent persons. Well, Government, or some one on behalf of Government, may express sorrow, but that does not help the poor relatives of the deceased. Government must realise that mere expressions of sorrow mean nothing. They have given expressions of such sorrow more than once for shooting innocent persons. They shot innocent persons at Hijli camp the other day: well, that was followed by an expression of sorrow, nothing more. In this instance we are given to understand that the relatives of the two unfortunate victims are going to

be awarded some compensation as if some monetary compensation will be of any avail. Sir, it is not the men who fired the shots that I blame. I blame the man who sanctioned this policy—this policy of employing troops, in a remote village unfamiliar with local conditions, to fire without provocation. The blame for this must rest on the head of that gentleman who passes such orders and not on men who fired the shots. I hope, Sir, that after this regrettable incident the Government will have the wisdom to issue orders that the troops may be confined to their proper functions. They should be kept in reserve and if there is any armed rebellion they may be used to suppress it. But so long as there is no armed rebellion they should not be allowed to take action. Perhaps these route marches of the troops may have some salutary effect in certain areas where feelings are strained or where there is likely to be any outburst of an agrarian or communal nature. The troops should be kept in reserve to meet some such situation and not detailed on duty they are not trained to discharge.

Mr. R. N. REID: Before coming to the substance of this motion it is my duty to say that Government, naturally, view with profound regret the tragic incident which is the subject of this motion and they wish to extend their sympathy to the dependents of those two unfortunate persons who lost their lives on the 7th March. They have also decided to grant compensation to their dependents, and as soon as recommendations are received from the local officers compensation will be granted. The speeches that we have heard have laid a heavy measure of blame on the soldiers who were concerned in this incident, and on the Government whose orders they were carrying out. I think, Sir, if blame is to be fastened on any one—and I personally doubt very much if this is a case where blame can justly be fastened on any one—it should be fastened not on the soldiers who were the instruments by which these two men lost their lives, not on those two unfortunates themselves who by their ill-advised action in running away raised suspicion that they were guilty persons, not on Government who had been compelled to take these special measures to deal with the terrorist movement, but on the terrorists themselves. (Hear, hear.) It is due to their existence and to their continued activities in the Chittagong district that these measures have been brought into force, and it is due to those terrorists that two humble homes have been deprived of their bread winners. And, Sir, what are the facts of the case? The mover of the motion several times asked what are the facts. I am endeavouring to give them. In moving his motion he begged two very salient questions. One was this: he implied—at least this was the implication any reasonable person would draw from his speech—that the two men did nothing but they were shot down in cold blood. That is not correct. Secondly, he implied that no previous warning was given of the orders to

the people that they should halt when they were told to do so. That also is incorrect. The position was that a series of operations had been undertaken because the district authorities had reliable information that a number of absconders—terrorist absconders—were lurking in certain areas comprising three thanas Boalkhali, Patiya and Roazan and relying on that information they undertook these measures which the troops were called in to assist. I do not think any one will deny that there was good reason to believe that there were terrorists about in Chittagong. It was only six months since the abominable outrage at Pahartali took place, it was only a few weeks ago that the notorious absconder Surya Sen was captured. Having this information they put in force these measures to endeavour to round up these absconders. There was a military post on the north bank of the river in a village called Quepara and there was another post on the south bank of the same river. The patrol in question consisted of an Assistant Sub-Inspector, a non-commissioned officer and three Gurkha riflemen. They had orders to keep a sharp look-out for any one who might be crossing the river, due to our action on the other side of the river, to stop them and examine them. A curfew order was in force so that any one moving about in the dark was *ipso facto* liable to suspicion. These riflemen who formed this patrol were not new to their work, they had been on it before and their experience up to then had been that any one when asked to do so would halt. It therefore gave them ground for strong suspicion when this particular little party of men got out of their *sampan* and did not stop when challenged but ran away some considerable distance showing every sign of being determined to getting away. They ran right through the village into the open beyond. The Gurkha riflemen were falling behind and thought that there was every reason to believe that these men were dangerous absconders, and judging from their previous experience and from what had happened that particular night they were justified in firing. They felt that they could not catch them up, and they took the steps they did in order to stop them, with the result we all know. That is what happened. They did so in perfectly good faith and it is very difficult to blame them. (Mr. N. K. Basu: It was not cold-blooded because they were running.) I say that the circumstances show that there was every reason to believe that these men were absconders from the action they took. Cold-blooded shooting it would have been if they had stood still and done nothing. I may add that this is the first time that Muhammadans or any one failed to stop when called upon to stop, and the fact that they were in Muhammadan dress was no proof that they were innocent persons. One absconder who was recently arrested was disguised as a Muhammadan. I have endeavoured to explain the circumstances of the case in as plain a language as I could, and I have endeavoured to show that the charge of indiscriminate firing and cold-blooded shooting is unfounded. One of the speakers used the word "indiscriminate." Well, I submit, Sir,

that the word "indiscriminate" has no bearing on this incident. Indiscriminate firing—what does that mean? (Mr. SHANTI SHEKHARESWAR RAY: Firing without discrimination.) I think, Sir, the word I heard was "indiscriminate" and I fail to see any difference between the expression "indiscriminate" and "without discrimination." It seems to me a distinction without a difference. As I was saying, Sir, an instance of indiscriminate firing that would easily come to one's mind would be that which took place at Pahartali on the 24th September last year when a gang of terrorists surrounded a room full of harmless unarmed men—and not only men but women—fired at them and threw bombs at them: that was indiscriminate firing. But the action of these riflemen in completely good faith on the night of the 7th March was not indiscriminate firing in any sense of the word. I trust that having given what I believe to be a fair and unbiased account of what happened, perhaps the mover of the motion will withdraw it.

The motion of Maulvi Hassan Ali was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Bakshi, Maulvi Syed Majid.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Rishori Mohan.
Chowdhury, Haji Badi Ahmed.
Chowdhury, Maulvi Abdul Ghani.
Kasemji, Maulvi Nur Rahman Khan.
Fazlullah, Maulvi Mohammad.
Hakim, Maulvi Abdul.
Hoque, Kazi Emdadul.
Maiti, Mr. R.
Rai Mahasai, Manindra Deb.
Ray, Mr. Shanti Shekhareswar.
Rout, Babu Hemai.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.

NOES.

Ahsan, Nawabzada Khwaja Muhammad, Khan Bahadur.
Armstrong, Mr. W. L.
Bal, Babu Lalit Kumar.
Bal, Rai Sahib Sarat Chandra.
Barma, Rai Sahib Panchanan.
Blandy, Mr. E. H.
Bose, Mr. H. H.
Faroqui, the Hon'ble Nawab K. G. M., Khan Bahadur.
Fawcus, Mr. L. R.
Ganguli, Rai Bahadur Sushil Kumar.
Ghaznavi, the Hon'ble Alhaj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Gupta, Mr. J. N.
Henderson, Mr. A. G. R.
Hogg, Mr. G. P.
Hooper, Mr. G. G.
Hussain, Maulvi Latafat.
Khan, Mr. Nazar Rahman.
Lockhart, Mr. A. R. E.
Maguire, Mr. L. T.
McGlashan, Mr. H. T.
Mitter, the Hon'ble Sir Provash Chunder.
Mortimer, Mr. H. E.
Mullick, Mr. Mohinda Behary.
Nag, Reverend S. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Norton, Mr. H. R.
Philpot, Mr. H. S. V.
Prentice, the Hon'ble Mr. W. D. R.
Procter, Lt.-Col. A. H.
Raheem, Mr. A.
Rahman, Mr. A. F. M. Abdur-.
Ray, Babu Khetter Mohan.
Ray, Babu Nagendra Narayan.
Ray Choudhury, Mr. S. C.
Reid, Mr. R. N.
Roy, Babu Jitendra Nath.
Roy, Mr. Sarat Kumar.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Sahana, Babu Satya Kinkar.
Sarkar, Rai Sahib Rabati Mohan.
Sen, S. N.
Stapleton, Mr. H. E.
Steven, Mr. J. W. R.
Thompson, Mr. W. H.
Townend, Mr. H. P. V.
Wilkinson, Mr. H. R.
Woodhead, th Hon'ble Mr. J. A.
Wordsworth, Mr. W. C.

The ayes being 16 and noes 49 the motion was lost.

The time-limit having been reached, the original supplementary demand under head "47—Miscellaneous" was then put and agreed to.

SUPPLEMENTARY DEMAND FOR GRANT.

30—Scientific Departments.

The Hon'ble Mr. J. A. WOODHEAD: I beg to move on the recommendation of His Excellency the Governor that a sum of Rs. 560 be granted under the head "30—Scientific Departments" to cover the anticipated excess over the voted grant under that head during the current financial year.

The motion was put and agreed to.

Special motion under section 78A of the Bengal Legislative Council Rules and Standing Orders.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I beg to move that this Council recommends to the Government that they guarantee the loan of Rs. 40,000 to be made by the Imperial Bank of India to the Rangpur District Board.

In commending this motion to the acceptance of the House I venture to submit that the Rangpur District Board suffered great loss due to earthquake in July, 1930, and they stand in need of money for repairing the damaged buildings and bridges. After long negotiations with the Co-operative Credit Society their proposal to take a loan from them fell through. Then they approached the Imperial Bank. Under the Local Authorities Loans Act no such guarantee is necessary, but the Imperial Bank is not quite satisfied with the provisions of the Act, because it provides that the Local Government can attach the properties of the defaulting local body, but there is no express provision for payment by Government to the creditor. On these grounds they have asked for this guarantee from Government (to which they can easily agree), because Government collect the cess and hand over a very large amount to the district board which will be sufficient guarantee against any default by the district board. As it may commit Government to expenditure in future in realising this amount, it is necessary that they should have the sanction of the Council. On these grounds I place this motion for the acceptance of the House.

The motion was put and agreed to.

Motions for the amendment of Standing Orders.

Mr. NARENDRA KUMAR BASU: I move for leave to amend Standing Orders as follows:—

(*i*) That after Standing Order 7 the following new Standing Order be inserted, namely:—

Limitation of time of discussion of non-official business other than Bills.

7A. (*1*) On the day or days allotted by the Governor for the disposal of non-official business under rule 6, the President may, if he thinks fit, allot the maximum limit of time that may be made available for any item of such business, other than non-official Bills.

(*2*) As soon as the maximum limit of time for discussion is reached, the President may forthwith put every question necessary to dispose of the motion under discussion.

(*3*) Notwithstanding anything contained in sub-section (*4*) of Standing Order 34, the President may also, in cases where he has allotted the time under sub-section (*1*), prescribe a time-limit for speeches shorter than that referred to in that Standing Order.

(Section 20A.)

(*ii*) That after Standing Order 68 the following new Standing Order be inserted, namely:—

Procedure for taking resolutions out of turn.

68A. Notwithstanding anything contained in sub-section (*1*) of Standing Order 6 or in sub-section (*2*) of Standing Order 7, on the written requisition of not less than twenty-five members, sent in at least two days in advance, that a resolution be taken out of its turn, and with the consent of the Hon'ble Member in charge of the Department concerned and of the President, the President shall intimate that leave is granted by the House to the course proposed and shall state the time at which such resolution shall be taken:

Provided that not more than two resolutions shall be so taken out of their turn on any one day:

Provided also that in fixing the time at which the resolution shall be taken, the Rresident shall see that members are given at least 24 hours' notice of the same.

(Section 77A.)

Amendment of Standing Order 6. (Section 19.)

(*iii*) That in sub-section (*1*) of Standing Order 6—

(*a*) the words "or a resolution on which a member has indicated his first priority and which remains undisposed of at the end of the session" shall be omitted;

(b) the words "and such resolution shall, if the member who has given notice of it intimates in writing before the holding of the ballot for the next session his desire to proceed with it, be carried over to the next session and shall, together with any amendments thereto of which notice has been given, be set down for discussion for such day or days as are available for non-official business in the order in which it stands and shall be given precedence to the resolutions to be balloted for for that session" shall be omitted.

(iv) That in sub-section (2) of Standing Order 7, the words, figures and brackets "except as provided in sub-section (1) of Standing Order 6" shall be omitted. Amendment of Standing Order (Section 20.)

(v) That in the second proviso to Standing Order 63, the words and figure "exclusive of any resolution carried over under the provisions of Standing Order 6" shall be omitted. Amendment of Standing Order (Section 70.)

Explanatory Note.

Some action should be taken at once to put a stop to the present deadlock in the case of the Agenda Paper of resolutions.

2. Under the rules as they stand—*vide* section 20 (2), the order of priority of resolutions is determined by ballot. Under section 19 (1), the order of priority as settled by ballot is final.

3. In addition to the ballot, section 19 (1) also restricts the order of precedence by providing that first priority resolutions not disposed of at one session may be carried over to the next session and "be set down for discussion in the order in which they stand" and shall be given precedence to the resolutions to be ballotted for for that session.

4. The motive underlying the latter procedure, which was adopted by the Council in 1926, was to give each member an opportunity, once during his membership, of bringing a matter before the House for discussion.

5. While this is an estimable idea, it has resulted in over-burdening the order paper and shutting out important resolutions from being brought before the House for discussion; in other words, of making the order paper wooden and inelastic. One result of this inelasticity is that frequently the House is counted out for want of a quorum on the ground that it is bound by the rules to go through a resolution paper containing resolutions which are out of date or of minor importance or of parochial interest, and the day is wasted.

As an instance of an important resolution being shut out for a considerable time, reference may be made to the [illegible] resolution

of Mr. J. N. Gupta. This resolution first appeared on the order paper in July, 1931, but it was not taken up till the session of 1st February, 1932.

6. A glance at the List of Resolutions issued since 1931 compared with those that have been dealt with will show example after example of the Council's time being wasted on comparatively unimportant and parochial matters, while resolutions raising important questions relating to the province as a whole have been crowded out by the mechanical process of the ballot.

7. While it is important that the interests of minority members should be safeguarded as far as possible, it is more important that facilities should be given for the discussion of important matters affecting the major interests of the province. It may be pointed out here that it is not proposed to interfere with the procedure already prescribed for non-official Bills as the same difficulty has not been felt in regard to them.

8. In the amendments proposed, it is decided to overcome the difficulties by attacking them from three directions.

The first amendment proposes to empower the President to fix a time within which a resolution may be disposed of, and to limit the duration of speeches, in his discretion.

This method is not unknown in our rules and standing orders and to some extent is followed in section 89, in regard to the Budget, where the Governor fixes the time and the President prescribes the duration of the speeches.

It is again found in section 90, in regard to the voting of Demands, where the Governor fixes the time and when that time has expired the guillotine falls.

9. The second amendment empowers the House, with certain restrictions, to select important resolutions notwithstanding the order of precedence obtained by the ballot.

This power of selection is also not unparliamentary as in the House of Commons, in Standing Order 27A, this power is given to the Speaker, or in Committee to the Chairman of Ways and Means, and the Deputy Chairman, on his own authority. The Standing Order runs—

"27A. In respect of any motion or any Bill under consideration either in committee of the whole House or on report, Mr. Speaker, or in committee the Chairman of Ways and Means, and the Deputy Chairman, shall have power to select the new clauses or amendments to be proposed, and may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgment upon it."

In the amendment proposed, the initiative is left to the vote of the House who should be the final masters of the situation under the guidance of the President.

10. Care has also been taken to guard against either the House or Government being taken by surprise, as, in the case of Government, the previous sanction of the Member-in-charge is to be made a necessary precedent to the resolution being taken up and in the case of the House, the President has to concur and to fix a suitable time. It is also provided that at least two days' notice of the requisition should be given, and that members should have at least one day's notice.

The order of precedence obtained by ballot is also safeguarded to some extent by the proviso that not more than two resolutions shall be taken out of their turn on any one day and this also tends to safeguard the interests of minority members.

11. The third amendment proposes to repeal the provisions of Standing Order 6 (*2*), section 19 (*1*), which permits the carrying over of first priority resolutions.

The result of this provision has been the carrying over of resolutions, which, frequently, by the passage of time, have lost their importance or urgency, and which thereby block the way to the discussion of more important and up-to-date matters which may have arisen during the course of time between one session and another.

The amendments following are consequential to the amendment of Standing Order 6 (*2*).

12. Arguments may be used against the proposed changes—that the rules themselves provide parliamentary weapons to deal with the difficulty, *viz.*—

(*1*) the closure;

(*2*) opportunities to move the adjournment of House;

(*3*) opportunities to move special motions under section 78A.

In regard to the closure, it may be pointed out that this weapon is only meant to be used when dilatory tactics are deliberately being used to prevent a vote being taken and not with the intent to stifle discussion. Moreover, the closure works arbitrarily on the minority and it is not the intention that the minority should not be given a hearing or that they should not be permitted to ventilate grievances or bring up proposals before the House.

The frequent application of the closure to get over the difficulty would, therefore, be a misuse of the power given by section 46.

13. In the same way frequent recourse to section 79 of the Rules and Standing Orders—adjournment of the Council—to bring up proposals for discussion which are ordinarily composed in a resolution would be a misuse of the privilege, and the same remarks apply to section 78A—special motions.

14. There is no doubt that if the amendments proposed are embodied in the Rules and Standing Orders, it will result in the lightening of the resolution paper and of effecting a more useful outturn of public work of the class contemplated by resolutions, and, most important of all, result, perhaps, in the allotment of more time by the Governor for the exercise of this very important function of the Council.

A MEMBER: I object to it.

In a thin House an objection was taken to leave being granted. The members in support of the motion were asked to rise in their seats. A count was then taken and as the number was found to be short of the requisite number, the President informed the mover that he had not the leave of the Council.

Adjournment.

The Council was then adjourned till 3 p.m., on Thursday, the 30th March, 1933.

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31—Education (Transferred) : 536, 537, 552-553, 581-586.

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31—Education (Transferred) : 542-544, 590, 591, 592, 593.

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31—Education (Transferred) : 522, 531-534, 547-548, 555-558, 592, 593, 600.

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Raised by Mr. Mukunda Behary Mullick in connection with a special motion under section 78A of Babu Jitendralal Bannerjee urging the Government to bring it to the notice of the Prime Minister that the Poona Pact (relating to the representation of the depressed classes in the Provincial Legislatures) was inapplicable to the peculiar circumstances of Bengal, etc., that the motion was out of order and could not be discussed in the Council under sections 71 and 78A of the Rules and Standing Orders : 90-91.

Raised by Mr. Shanti Shekhareswar Ray *anent* the special motion of Babu Jitendralal Banerjee regarding the Poona Pact under section 78A of the rules, whether, in view of the notice of a similar resolution previously given by him and already admitted by the Chair into the List of Business for that session, another motion on the same subject could be brought forward before the House in the same session before the other motion had been disposed of : 91-92.

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Ruling given by—that under rule 91(2) of the rules, it was not within the competence of any member of the House to move for the total refusal of a demand, but that he could propose reduction or omission of an item of the demand : 35, 36.

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Ruling by—that the special motion of Babu Jitendralal Bannerjee relating to the Poona Pact admitted under section 78A of the rules was a matter of public interest, to the moving of which the assent of the Hon'ble Member in charge of the department concerned, was given and was therefore perfectly in order. (In answer to a point of order raised by Mr. Mukunda Behary Mullick that the special motion could not be discussed under sections 71 and 78A of the rules and standing orders) : 90-91.

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Disallowing a member in connection with a motion to refer to, or to discuss, a particular question or a particular answer that might have been given in the House, for section 36 of the rules militated against such a course : 328-330.

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Ruling of—in reply to an objection of the Hon'ble Jails Member that discussion of the treatment of prisoners while in police custody should more appropriately be raised under the head "Police" rather than under the head "Jails and convict settlements", that the charges for police custody coming under the head "Jails," the mover was in order in discussing cases of ill-treatment that may have been accorded to prisoners in jails or while being transferred from one jail to another : 432-433.

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22—General administration : 364, 365.

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26—Police : 489-490.

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Promotion of assistant sub-inspectors to the grade of sub-inspectors in the Calcutta Police : (Q). 184-185.

Prosecutions under the Indian Registration Act in the district of the 24-Parganas : (Q.) 629.

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Standard of muharrirs, work in Registration offices : (Q.) 325.

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9—Registration : 244-245.

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24—Administration of justice : 422-423.

25—Jails and convict settlements : 443-446.

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30—Scientific departments : 620, 621.

31—Education (Transferred) : 548-551.

34—Agriculture : 670-671.

35—Industries : 707-708.

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25—Jails and convict settlements : 436-439.

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31 Education (Transferred) : 597.

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31 -Education (Transferred) : 593-597.

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Reduction of allowances of detenus : (Q.) 76.

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22—General administration : 215.

26—Police : 484-486, 514, 515.

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22—General administration : 351.

32—Medical : 601-605, 609-611, 612-615, 618, 620-621.

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26—Police: 513, 517, 518.

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9—Registration: 259-260.

22—General administration 307, 362-364.

26—Police: 469.

32—Medical: 608, 615.

35—Industries: 690.

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Expenditure of road cess by the district boards on communication: (Q.) 701.

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6—Excise: 189-191, 194, 198, 199, 209-211.

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9—Registration: 247-248, 249.

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33—Public Health. 652, 653.

34—Agriculture: 679-682, 690, 704, 705.

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